

# esgroup Employee Handbook



electrical

Electrical Solutions (Scotland) Ltd



facilities

FM Solutions (Scotland) Ltd



compliance

Compliance Safety Solutions Ltd

**Signed:**

**Name: CHRIS BRYANT**

**Position: Group Managing Director**

**Date: 01/02/2017**

## **TERMS & CONDITIONS**

The contents of this Handbook form part of your Contract of Employment with the Company, and must be read and adhered to. Any additions or alterations to any part of the contents will be advised at least one month before being implemented, and no alterations, other than those imposed by Statute, will be made without prior consultation with employees likely to be affected.

1<sup>st</sup> Edition 2017

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## **1. INTRODUCTION**

This Employee Handbook aims to explain the broad terms and conditions of your employment with esgroup (Electrical Solutions [ES], FM Solutions [FMS] and Compliance Safety Solutions [CS]) and to outline the Company's employment policies.

Although most areas have been covered, it is not possible to include everything. Your manager will be pleased to help you if you have any questions concerning your employment or if you require further explanation of points in the Handbook.

This Handbook, together with letters of appointment and your Contract of Employment sets out the main terms and conditions of employment for all employees of the Company, together with the procedures and rules to be followed.

Please note that this Handbook forms part of your Contract of Employment.

The subjects covered in the Handbook may be affected from time to time by changes in legislation, company policies, or those changes resulting from consultation with employees. The Handbook will be amended from time to time. Changes in terms and conditions will, however, be notified to you personally before being implemented, and no changes, other than those imposed by statute or minor alterations, will be made without prior consultation with the employees likely to be affected. Any such changes will also be confirmed in writing.

## **2. Working for esgroup**

### **2.1 DRESS & APPEARANCE**

The Company's reputation depends on the image presented by you and careful attention to appearance is vitally important. All employees must, whilst at work or on company business, maintain an appearance that is clean, tidy and appropriate to the work they undertake, particularly in relation to Health and Safety. This applies whether the employee is working on site or within any office environment.

#### **Office Staff**

Hair should be presentable. Any jewellery worn, including facial piercings and tattoos should not be excessive or unconventional and in accordance with normal business expectations. In addition to the standards above, all employees must dress in professional attire at all times - consistent with the construction sector.

### **2.2 HYGIENE**

You should maintain careful personal hygiene, in the interests of yourself, other employees, and all other persons on the premises.

### **2.3 JOB FLEXIBILITY**

The Company reserves the right, should trading or other circumstances compel it, to transfer employees to work other than that on which they are normally employed, or at premises other than those where the employee is normally employed, or where the employee was recruited. This will not be done for trivial reasons, but only in the case of absolute necessity for operational reasons and in particular in an effort to preserve employment as an alternative to the possibility of redundancies. Such a transfer would only take place after appropriate consultation and reasonable notice and may not necessarily require the employee to move house.

### **2.4 EMPLOYEES' PROPERTY**

The Company does not accept any liability for any loss of, or damage to employees' property brought onto the Company's premises or into the Company's vehicles. You are requested not to bring personal items of value onto the premises, or into Company vehicles and in particular not to leave any items overnight.

### **2.5 Pensionable Age**

From December 2018, the state pension age will start to increase for both men and women to reach 66 by October 2020. The Government is planning further increases, which will raise the state pension age from 66 to 67 between 2026 and 2028. You can keep up to date with any changes through <https://www.gov.uk/state-pension-age>.

### **2.6 EQUAL OPPORTUNITIES**

The Company is an equal opportunities employer, and does not practice or allow any discrimination on the grounds of sex, trans-gender status, sexual orientation, age, marital status, civil partnership status, race, nationality, colour, religion, belief or ethnic origin.

Discrimination will not occur in the process of recruitment and selection, promotion, training, conditions of work, pay and benefits and every other aspect of employment, including general treatment at work and the processes involved in the termination of employment. Equal opportunities will also apply to job applicants (internal and external) and all employees whether full time, part time and temporary. Additionally, equal opportunities will be applied to our customers/clients/sub-contractors and suppliers.

The Company will do all it can to promote good practice in equal opportunities in order to reduce the likelihood of discrimination, victimisation or harassment occurring. Capitalising on what is unique about individuals and drawing on their different perspectives and experiences will add value to the way we do business.

Any employee who is discovered to have practised discrimination against a fellow employee on any of the above stated grounds will be subject to disciplinary action, which could result in summary dismissal.

If any employee wishes to make a complaint regarding discriminatory conduct, they can do so through the standard grievance procedures.

## **2.7 DISABLED PERSONS**

It is Company policy to offer equal opportunity to disabled persons applying for vacancies, having regard to their aptitudes and abilities in relation to the jobs for which they apply.

As far as is possible and where the Company has a duty to make 'reasonable adjustments', arrangements may be made to continue the employment of those employees who have become disabled persons during the course of their employment with the Company. It is the Company's policy to provide disabled persons with the same opportunities for training, career development and promotion that are available to all other employees.

## **2.8 HEALTH AND SAFETY**

All offices, sites, passageways, entrances and exits on all sites and offices must be kept clear and tidy at all times. At the end of each working day, office desks and all work areas are to be left straight and tidy. You have a number of additional responsibilities under Health and Safety. Please refer to the esgroup Health & Safety Handbook for full details.

## **2.9 PRIVATE BUSINESS**

Company facilities, equipment and time must not be used for private or personal business without the prior approval of management. Any employee who is discovered using Company equipment, vehicles etc. for private purposes without authority may be liable to summary dismissal, and possible prosecution. Please note that only drivers authorised by the Company may drive Company vehicles.

## **2.10 VEHICLE POLICY**

It is esgroup's policy to provide a vehicle to employees where it is appropriate for their role and/or grade.

Permanent employees of ES/FM/CS may be provided with an appropriate vehicle provided that their job role merits this:

- **Engineers**  
Will be issued with a vehicle to complement their role and enable them to perform their role more effectively
- **Management & Office staff**  
May be issued with a vehicle dependant on requirements of job role and status.
- The driver holds a current, valid and full driving licence.
- ES/FM/CS is able to insure the employee on normal terms through its selected insurers.
- The driver meets driving standards requirements that may be set by ES/FM/CS from time to time.

## **2.11 MOBILE PHONES**

1. In order to assist you in carrying out your duties you may be provided with a mobile phone or other communication device. If you are provided with a mobile phone you will require to comply with the following rules on the use of mobile phones and also be aware of the Policy on E-mail and Internet use. See **3.3**.
2. Any mobile phone provided will be for business use only but may be used in emergency situations subject to any tax implications that there may be for the user. All mobile phone bills are itemised and any abuse of the use of a Company mobile phone may be a disciplinary matter.
3. The mobile phone must remain in your possession at all times. The phone must not be left unattended at any time for any reason. In the event of the phone being lost, you may be required to pay the cost of any replacement.
4. If your phone develops any faults/problems you must report this to your manager immediately.
5. The use of the phone is to be kept to a minimum.

### **2.11.1 USE OF MOBILE PHONE WHILST DRIVING**

The use of mobile telephones whilst driving can significantly affect a driver's ability to identify and react to dangerous situations on the road. Therefore, the Company has adopted the following policy:

#### **Company Policy Statement**

Employees must not use hand held mobile phones whilst driving. **N.B** this applies to all mobile phones except those using fully fitted car kits. Other forms of hands free kit must not be used while driving.

Certain positions within the business qualify for a fully fitted car kit. It is optional for employees in these positions to get a car kit fitted or to use an existing car kit. Remember, in some circumstances, for example if there has been an accident, a prosecution for careless or dangerous driving may be justified if a phone was in use at the time of the incident, whether the phone was hands free or hand held. The penalties on conviction for such offences include heavy fines, licence endorsements, disqualification and, in serious cases, imprisonment. If there is a fatality there will always be a prosecution whether the phone was hands free or hand held.

Any employees with a fully fitted hands free kit must only use it when it is safe to do so.

#### **Guidelines**

Employees without fully fitted car kits who have answer phone facilities on their mobile should switch their phone off whilst driving and ensure that they check their phone for messages after they have finished their journey.

Employees without fully fitted car kits who do not have answer phones should switch their phone to silent whilst driving and check for any missed calls when they finish their journey. They should also ensure that they check their voicemail when appropriate.

Employees without fully fitted car kits wishing to make a call should always ensure that they park safely and turn their engine off before doing so. It is not permitted to make calls whilst stuck in traffic or sitting at traffic lights, i.e. while the engine is running.

Employees must not send texts/emails etc. whilst driving under any circumstances. **N.B.** This includes all mobile phones, whether hand-held or hands-free (and includes those using fully fitted car kits).

For all supervisors and engineers a Company mobile phone is provided, this forms part of your contract and is deemed to be required for communication to the office in relation to general Company business and Health and Safety issues. Loss or damage to the phone may be chargeable to the person who is in possession of the phone.



## **2.12 REFERENCES**

If you leave the Company, the Office Manager will provide your future employer with an official reference. Managers are not permitted to provide Company references but they may at their discretion, provide you with a personal reference.

## **2.13 VDU USE**

The Company provides free eye tests to employees who habitually use a VDU as a significant part of their normal work (if they do not already receive free eye tests).

# **3. CONFIDENTIALITY AND SECURITY**

## **3.1 PERSONNEL RECORDS AND DATA PROTECTION**

A record of your employment will be maintained on a confidential basis. In order that this record may be kept up to date, you should advise in writing of any changes in your personal circumstances to the Office Manager, particularly the following:-

- Home address and telephone number.
- Bank address, Sorting Code, Personal Account Number.
- Marital Status - Marriage, Civil Partnership, Divorce
- Next of Kin - Name, address and relationship.
- Birth of Child.

You should advise of any changes to the above by notifying the Office Manager in writing as soon as is practical.

You should also report any qualifications gained of relevance to your employment, and you must advise the Office Manager if you are or become registered as a disabled person or develop a "chronic" medical condition. Any queries concerning your personnel record should be taken up with the Office Manager.

You hereby give your consent for this personal data about you to be held and processed in accordance with the data protection principles outlined in the Data Protection Act 1998, for the purpose of complying with statutory requirements, meeting legitimate Company interests or fulfilling your Contract of Employment. Any personal information held will be for our management and administrative use only, but from time to time, we may need to disclose some information we hold about employees to relevant third parties (e.g. where legally obliged to do so by the Inland Revenue or requested to do so by an employee for the purposes of providing a reference).

It should be noted that the organisation might hold the following information about an employee for which disclosure to any person will be made only when strictly necessary for the purposes set out below:

- An employee's health, for the purpose of compliance with our health and safety and our occupational health obligations
- For the purposes of personnel management and administration, for example to consider how an employee's health affects his or her ability to do his or her job and, if the employee is disabled, whether he or she requires any reasonable adjustment to be made to assist him or her at work
- The administration of insurance, pension, sick pay and any other related benefits in force from time to time
- In connection with unspent convictions to enable us to assess an employee's suitability for employment

Under the Data Protection Act 1998, all employees are entitled to know what personal information the Company holds and processes about them and why.

The act also places responsibilities on employees. All employees must ensure that any personal data they hold, whether electronically or paper format, is kept securely. Personal information should not be disclosed orally, in writing, accidentally or otherwise to any unauthorised third party.

Employees have a right to access any personal data that is being kept about them. Any person who wishes to exercise this right should make their request in writing to the Office Manager. The esgroup aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days unless there is a good reason for delay. In such cases, the reason for delay will be explained in writing to the data subject making the request.

### **3.2 COMPUTER FACILITIES**

1. The Company maintains a range of computer and other electronic facilities to assist in the Company's administrative and technical functions. These facilities include computers, many of which are connected in a network and which is in turn connected to external networks, printers, other hardware, software and data.
2. The Company's computer facilities are provided for essential aspects of our business. Personal use of these facilities is not normally permitted and is only allowed with the prior permission of your manager.
3. In order to protect the integrity of the overall computer system and the security of stored information the following must be observed:-
  - a. You may only use the Company's computer facilities when you have been authorised, and only to the extent to which you have been authorised.
  - b. Computer facilities that make use of the Company's network require the use of a personal user name. Issue by the Company of a personal user name for the Company's network is authorisation to access at least some of the computer facilities. You will be advised of the extent to which you are allowed to access the computer facilities. You must never give your user name to any third party.
  - c. You should only use a computer connected to the Company's network in conjunction with ("logged in" under) your own user name. Never use a computer that is connected to the network using another person's user name. Never leave an unattended computer/workstation "logged in" under your user name. Never use a computer/workstation that is already switched on without making sure that it is not connected to the network with someone else's user name.
  - d. Several key computer programmes used by us also require personal user identification and/or passwords. Issue by us of the necessary codes is authorisation to access such programmes. However, in some cases you may be given access to programs and data for limited purposes (typically to see information only) but it may be technically possible for you to create, edit or delete data for which permission has not been given. Similarly, you may technically be able to view information which is confidential and which you are not authorised to see/use. Care requires to be taken when using such programmes not to alter, delete or access information which you are not entitled to view. You should not rely on the in-built computer security to prevent unauthorised use.

### **3.3 EMAIL & INTERNET POLICY**

**(Please note that the following company policy also applies to Instant Messaging and social media sites)**

- a. E-mail is not a secure medium of communication; it can be intercepted and read. Do not use it to say anything you would not wish to be made public. Care should be taken before

transmitting sensitive data. No e-mail sent or received through the Company's system is private.

The Company reserves the right to review, audit, intercept, access and disclose all messages created, received or sent over the e-mail or voicemail system for any purpose.

The contents of e-mail so obtained by the Company in the bona fide exercise of these powers may be disclosed without your permission.

You should be aware that e-mails, however confidential or damaging, may have to be disclosed in court or other proceedings. E-mail messages may also be used as evidence in disciplinary proceedings or for any other legitimate purpose as required by the Company.

An e-mail which has been trashed or deleted can still be retrieved.

As with all business correspondence, it is important to exercise judgement with regard to keeping a record of messages sent and received in the course of business.

E-mail should be treated as any other means of communication. If you would normally retain a certain document in hard copy, you should retain the e-mail. If you would not normally retain a certain document, delete your e-mails as if you were throwing away a piece of paper.

b. Unauthorised use of the e-mail and internet system includes, but is not limited to:

- Sending, leaving or printing messages or downloading images which may be considered pornographic, offensive or defamatory or may constitute bullying or harassment, e.g. on the grounds of age, sex, race, disability, gender specific comments, religious or political beliefs or sexual orientation.
- Searching for or downloading material not in connection with the business of the Company.
- Use of e-mail system for sending or receiving chain letters.
- Use of systems for sending or requesting jokes or cartoons otherwise than in the context of a business relationship.
- Excessive use of the systems to communicate non-business matters.
- Disclosing confidential information about other employees, the Company or its clients.
- Transmission of data which contains viruses or other computer programs of a malicious nature.
- Incorporating screen savers, care should be taken that these are non-offensive and may require to be withdrawn from the Company's computers.
- Incorporating image or multimedia files which are not part of the business conducted by the firm.
- Incorporating any executable program.
- Use of abusive, vulgar or objectionable language in e-mails on the internet is forbidden.
- Use of the internet, or internet services, by unauthorised users is strictly prohibited.

- You are responsible for ensuring you are the only person using your authorised Internet account and services.
- You should not store an excessive amount of e-mails in your inbox.

You are not permitted to access or send internet based e-mails (e.g. hotmail).

- c. If you are authorised to use the Company's computer facilities you will usually be provided with an electronic mail account/address. Electronic mail is an important communication facility within the company and if you are provided with an account you are expected to read and to deal with messages you receive at least once every working day.
  - d. Electronic mail is a powerful business tool and must be used with care and not abused. It is especially important that you only use your own personal account and never send or receive messages under anyone else's account. There are a number of types of messages for which electronic mail is not suited. It should not be used for rebuke, argument, or debate. It should not be used to avoid face-to-face discussion of difficult or delicate matters, or as a means of putting someone down. Before sending a message, you should consider both whether it is the best way of communicating, and to whom it needs to be sent. Abuse of electronic mail facilities will be a disciplinary offence and may in certain cases lead to dismissal.
  - e. Access to/use of the internet/World Wide Web is not normally permitted and requires explicit permission from your manager. Should you be given authority to use the internet/World Wide Web you must use it with care and ensure that inappropriate material is not received or downloaded. Whilst you may be allowed to use e-mail and the internet from your computer we will not allow abuse of the computer system for this purpose. No material of a sexually explicit, racial or other discriminatory or offensive nature may be transmitted, regardless of the intended recipient or received by e-mail or other electronic process. This list is by way of example only and does not include all material which would be unacceptable. Abuse of the system will be a disciplinary matter and may lead to dismissal.
  - f. Use of the Company's computer facilities for the playing of computer games is not permitted.
  - g. Although there has been considerable investment in computer hardware, it is the data stored on the Company's computer facilities that is the most valuable part of the Company's system. The Company's network provides the ability to share data and, through backup procedures, data that is stored on the network server computer is secured against many types of accidental loss. These benefits are not available for data stored on floppy disks or on the fixed disk drives of workstation computers. We therefore require that all data is stored on the network server computer fixed disks and you must ensure that all programmes or documents used or amended by you are saved and stored in the appropriate manner.
  - h. Failure to observe this policy by using the e-mail or internet for an unauthorised use or in any other way for improper purposes will be treated as a disciplinary offence and you are liable to be disciplined in accordance with the Company's disciplinary procedure. Serious or persistent non-observance could result in the termination of your employment. If you reasonably suspect a violation of this policy, you should contact your manager.
- If you consider that an e-mail you have received contains material which should be referred to the police, the material should be printed and passed to your manager, who will be responsible for notifying the police that such an e-mail has been received.
- i. The computers, e-mail and internet facilities are for use in the conduct of the Company's business and not for personal use or gain. The Company reserves the right to monitor e-mail both internally and externally and also the use of the internet.

### **3.4 VIRUS PROTECTION PROCEDURES**

In order to prevent the introduction of virus contamination into the esgroup network the following must be observed:-

- a. Do not install any software on to your computer unless it has been approved by your manager. This includes the following:
- Free software from any source including web downloads and from PC magazines, even if licensed
  - iTunes and other music management software (permission to be sought)
  - Downloading programs such as torrent downloaders, Limewire and equivalents
  - Games
  - Smileys/Emoticons
  - Toolbars
  - Screen savers/desktop wallpaper
  - Copies of Office Programs that are not supplied and installed by esgroup
  - Alternative web browsers – Internet Explorer is the company standard
  - Messaging programs
  - Your own antivirus/antispymware products
  - Any other unlicensed software from any source

If you are prompted to install any new software on your machine you should contact the Office for advice first.

The Company reserves the right to review, audit, access and disclose all applications and files on a computer or any portable device issued to you by the Company for any purpose.

### **3.5 DECLARATION OF INTERESTS**

It is a condition of employment that you notify your manager immediately of:-

(i) Any other employment you are undertaking or considering undertaking in addition to your employment with this Company. Written permission is required from your manager prior to you taking on any other work, and

(ii) Any financial interests you or your family have that might conflict with, or be enhanced by, your employment responsibilities to this Company, and

### **3.6 SECURITY**

All employees must be constantly vigilant against breaches of the Company's security. It is the duty of all employees to report any unauthorised persons seen on Company premises. It is the wish of the Company to ensure the security and safety of all our employees at all times, and every effort to improve conditions in this respect will be made whenever reported.

### **3.7 DISCLOSURE OF CONFIDENTIAL INFORMATION**

In the course of your employment you may from time to time become aware of information of a confidential nature relating to the Company and its operations. In the interests of the Company and its employees you must not, at any time, use this information for your personal gain, or communicate it to any other person or organisation.

You must also obtain your manager's permission before speaking in public or publishing information on any aspect of the Company's operations and affairs.

On leaving employment you must return to the Company any papers, records or other documents/equipment relating to the Company's business.

## **4. REWARD**

### **4.1 SALARY AND PAYMENT**

#### Monthly Paid Employees

Salaries are paid monthly in arrears on the last Friday of each calendar month, and are subject to the normal statutory deductions. If the last Friday of the month falls at a weekend or public holiday, salaries will be paid on the last working day preceding the weekend or public holiday. Salary will be paid every month by direct bank transfer into a bank or building society account nominated by you. You will be notified in writing each month of the amount of your net and gross remuneration and the nature and amount of all deductions.

#### Weekly Paid Employees

Salaries are paid weekly on Friday, one week in arrears by direct bank transfer into bank or building society accounts nominated by you. You will be notified in writing of the amount of your net and gross remuneration and the nature and amount of all deductions.

#### Salary and Wage Deductions

Certain deductions are made from your gross earnings each time you are paid. These are:-

Income Tax  
Earnings Related National Insurance  
Pension Contributions from 2017

No voluntary deduction from your earnings may be made without your formal authorisation in writing.

If at any time money is owed by you to the Company, it is a condition of employment that you agree by your acceptance and signing of your statement of terms and conditions of employment that the Company may deduct the sum or sums from time to time owing to it from any payment (including salary, accrued holiday pay, payment in lieu of notice, bonus etc) due to you from the Company.

#### Salary Review

Salaries are normally subject to an annual review. Any such reviews are, however, at the absolute discretion of the Company. There is no guarantee of a pay rise at these reviews. You are reminded that your salary level is a matter between you and the Company and must not be discussed with other employees or external people.

#### Queries regarding Salaries

If you have a query concerning your salary or wages payment, you should refer it to the Office Manager.

#### Income Tax

On your first day of employment, you must provide Income Tax Form P45, which you should have received from your last employer. If you have not received this prior to start date, then a P46 must be provided in the interim and P45 forwarded when available. Enquiries relating to Income Tax should be addressed to the appropriate HMRC Inspector of Taxes. You will also be required to complete our starter checklist form to ensure we **comply with all employment and proof of eligibility to work in the UK regulations.** *Check been done for existing employees*

#### Bonus Schemes

Your manager will advise you on your entitlement to any relevant bonus scheme.

## Overtime or Additional Hours

It is a condition of employment with the Company that all employees may be required to work additional hours as and when necessary in accordance with normal Company practice. You may be required to sign a waiver letter in terms of the Working Time Regulations on the maximum number of weekly hours worked. In the case of full-time monthly paid employees, no payment is made for such occasional additional work, although an alternative arrangement on hours may be agreed with senior management.

The Company will give as much notice of the requirement to work additional hours on any day or weekend as possible.

The same standards of general conduct apply during periods of additional working as during normal working hours.

## **4.2. Group Personal Pension Plan**

As of 2017, you are eligible to join the Company's Group Personal Pension Plan as part of the new Pension Auto Enrolment Scheme. The Company makes a minimum contribution of 1% of your salary and you are required to contribute a minimum of 1%?????. Further information is available from the Office Manager.

## **5. TIME OFF/ABSENCE**

### **5.1 ANNUAL LEAVE**

#### i. Holiday Year.

The Company's holiday year begins on the 1<sup>st</sup> Feb Year holiday and ends on 31<sup>st</sup> January of each year. You are required to use 10 days of your annual holiday entitlement during the Christmas and New Year Construction Trade holiday.

Entitlement:

#### Full-time employees

(a) The entitlement to annual holidays with pay for those employees who are in the full time service of the Company at the start of the Holiday Year (See i above) is 30 working days (inclusive of public holidays).

(b) Those who commence employment after the start of the holiday year (See i above) will be entitled to holidays with pay on a pro-rata basis for their length of service in the Holiday Year, i.e. 30 days divided by 12 multiplied by full months worked. Holiday commitments in excess of your entitlement made prior to joining the Company may be honoured, at the Company's discretion, but without pay. (See section covering leave of absence and holidays without pay, below).

#### Part-time employees

The entitlement to annual holidays for those part-time employees who are in the service of the Company at the start of the Holiday Year (See i above) is 30 days each year paid pro-rata.

(b) Part – time employees who commence employment after the start of the Holiday Year (See i above) will be entitled to holidays with pay on a pro-rata basis for their length of service in the Holiday Year.

#### iii. Accrued Holiday Pay

#### Full-time employees

A employee terminating his or her employment with the Company during the year will be entitled to accrued holiday pay at the pro-rata rate for length of service completed during the year, i.e. their

annual entitlement divided by 12 multiplied by full months worked, less any holidays already taken in that year.

#### Part-time employees

A part-time employee terminating his or her employment with the Company during the year will be entitled to accrued holiday pay at the pro-rata rate for length of service completed during the year based on the number of days normally worked per week.

Any employee who, at the time of leaving the Company, has had in excess of the pro-rata allocation of paid holiday in that year to date, may have any such excess holiday pay deducted from final pay or may be required to repay this in the event that final pay does not cover the excess holiday pay. (See also sub-paragraph vii, below).

#### iv. Carry Forward of Holiday Entitlement.

The Company does not allow employees to carry forward any part of their annual holiday entitlement to subsequent years unless with specific permission from a Director, in writing and in exceptional circumstances only. You should contact your manager in the first instance. Any holiday entitlement not taken will be lost and will not be paid in lieu.

#### v. Annual Holiday Entitlement following Sickness Absence.

Annual Holiday entitlement will continue to accrue at current statutory rate during sickness absence.

Cancellation of pre-booked holidays may be authorised by your relevant manager provided 48 hours' notice is given.

#### vi. Sickness Occurring during Holiday Periods.

Employees who fall sick during a period of holiday (whether annual or Public/statutory) will be entitled to holidays in lieu provided they submit a medical certificate covering days when you were on holiday.

#### vii. Timing and Duration of Holidays and Notification.

It will not be permissible for employees to take more than two weeks' annual holiday at one time without specific permission. Any variation to this condition will be solely at the discretion of the Company, and any application for longer period of holiday absence will be considered individually. This will not normally be granted to those with less than two years' service.

To ensure the needs of the business are met, timing of holidays must be agreed in advance with your manager, taking into account the needs of the business and holidays requested by other employees.

#### ix. Rate of Pay for Holidays.

##### Full-time employees

Your holiday pay will be at normal basic rate.

##### Part-Time employees

Holiday pay will be calculated on an average hourly rate, based on hours worked in the previous 12 weeks.

#### xi. Unauthorised Absence and Holidays.

Any unauthorised absence may result in disciplinary action and a pro-rata deduction to your paid holiday entitlement.



## **5.2 PUBLIC AND STATUTORY HOLIDAYS**

### i. Entitlement.

Your statutory holidays are included with your annual holiday entitlement outlined above and dates of these will be provided annually by your Office Manager.

### ii. Working on Public Holidays.

Employees who are required to work on days designated by the Company as Public Holidays will be compensated, by being offered an alternative day off in lieu at a time to be agreed with their manager or recompensed by way of hourly pay at standard rate.

### iii. Public Holidays falling within Annual Holidays.

If a Company designated Public Holiday occurs during a period you are on annual holiday, and you would normally have worked on that day had you not been on annual holiday, you will be compensated by being offered an alternative day off in lieu at a time to be agreed.

### iv. Part time and Public Holidays

Part time employees will be eligible for Public Holidays with pay on a pro-rata basis.

## **5.3 MEDICAL AND DENTAL APPOINTMENTS**

Requests for time off during working hours for such purposes as visits to dentists, doctors (except in the case of emergency), lawyers etc must be made to your manager, and preferably in writing. You should make every effort to arrange such appointments outwith normal working hours, or during periods of annual leave, as it will not normally be possible for permission to be given for such absences.

## **5.4 ABSENCE POLICY**

The Company recognises its responsibility for the health, safety and welfare of its employees. Therefore, the Company is committed to managing absence and supporting employees wherever possible.

## **5.5 STATUTORY SICK PAY**

The Company pays Statutory Sick Pay (SSP) if you are absent from work due to illness for at least 4 consecutive days. SSP is treated in the same way as wages or salary, and is subject to PAYE Income Tax and National Insurance contributions. The weekly rate of Statutory Sick Pay (SSP) is set by the Government and is based on your average gross earnings throughout the eight weeks before your sickness began.

### Qualifying Days

These are the only days for which Statutory Sick Pay is payable, and represent the normal working days in any one week.

### Waiting Days

The first three qualifying days of your absence through sickness are termed "Waiting Days", and Statutory Sick Pay is only payable from the fourth day onwards.

### Duration of Statutory Sick Pay

The Company have a responsibility to pay Statutory Sick Pay for periods of authorised absence through sickness or injury up to a maximum of twenty-eight weeks in total. If employees are absent for periods totalling longer than the twenty-eight weeks referred to, they must claim directly from Jobcentre Plus (part of the Department of Work & Pensions) from the beginning of the twenty-ninth week onward.

### **5.5.1 SICKNESS ABSENCE PROCEDURE**

In the event of illness, you must personally inform your manager and your Office Manager, by telephone, on the first working day that you are absent. Where it is not possible for you to speak directly to your manager, you should leave a voice mail message for them or contact them on their esgroup mobile phone. Only as a last resort should you notify your manager via text message. Every effort should be made to inform your manager as early in the day as possible, and normally this should be no later than one hour prior to your normal starting time. You must inform your manager of the reason of your absence and the likely duration. If your absence extends beyond this period, you must keep your manager and your Office Manager regularly informed of your condition and likely duration.

In the case of any absence through sickness, irrespective of duration, on your return to work you must complete a Self-Certificate (which will be forwarded directly from your manager). A return to work interview will also be carried out by your manager.

In addition, for absences through sickness of longer than seven calendar days, a medical certificate must be obtained, and forwarded to your manager immediately upon issue. If necessary, you must obtain further medical certificates to cover any continuing absence and forward these to the Office Manager. You must not delay forwarding certificates to the Office Manager, as this could lead to refusal of sickness payments, and possible disciplinary action for unauthorised absence. If the Company is not satisfied with the reasons for your absence, you will be informed in writing of any decision not to pay Statutory Sick Pay.

Once your medical certificate has expired you must return to work unless a further medical certificate has been issued. You must contact your manager to advise of your return to work date.

### **5.5.2 LONG TERM SICK**

Employees who are absent from work for a period in excess of 4 weeks may be contacted by their manager either by telephone or by post. The purpose of this is to gain an update of the employee's progress and to make the Company aware of any adjustments that can be made or any support that can be offered to aid the recovery process. Contact also gives employees the opportunity to keep up to date with work/employee related issues, therefore maintaining the employment relationship and preventing employees from feeling isolated.

### **5.5.3 MEDICAL EXAMINATIONS**

#### Medical Examination

If the Company considers it necessary at any time, and in particular in the case of returning to work after a prolonged sickness absence, or sickness absence caused by a serious condition or injury, the Company reserves the right to make arrangements for you to be medically examined at Company expense, and/or the Company may wish to obtain a report from your own doctor, with your written authority. You will have the right to see such a report prior to its being forwarded to the Company, under Access to Medical Reports 1988.

#### Return to Work Medical

You may be required to attend a Return to Work Medical prior to your return after a period of absence. The purpose of such a medical is to ensure you are fit for work and to identify any adjustments that can be made by the company to aid your return. Where possible the medical will be arranged within close proximity to your home.

The Company reserves the right to require certification from your GP that you are fit to resume your normal duties.

#### **5.5.4 FREQUENT OR EXCESSIVE SICKNESS ABSENCE**

The Company will review patterns and amounts of sickness absence of employees, and employees who demonstrate a pattern of frequent or excessive sickness absence, as decided by the Company, will be informed that their attendance records are being monitored by the Company. An unsatisfactory attendance record can lead to dismissal, particularly where such absence is seen to cause operational difficulties to the efficient running of the Company.

#### **5.6 ABSENCE FOR PERSONAL OR DOMESTIC REASONS**

##### **5.6.1 BEREAVEMENT LEAVE**

Paid authorised absence of one day may be permitted at Co. discretion where a death has occurred in the employee's immediate family. You must contact your manager. Immediate family is defined as spouse, civil partner, partner, child, parent, parent-in-law, grandparents, brother or sister.

Should employees require leave of absence over and above the amounts set down for immediate relatives, or require to be absent in connection with the death of other relatives, close friends etc, application in writing must be made to your manager and while it will not normally be possible to grant leave with pay in other than the circumstances of immediate relatives as outlined above, unpaid leave of absence may be granted depending on the circumstances.

##### **5.6.2 COMPASSIONATE LEAVE**

Compassionate leave is granted when an employee needs time away from work following a traumatic event. This may be the diagnosis of a life-threatening illness to a partner, child, parent or sibling or their involvement in a serious accident. There are other circumstances that will attract compassionate leave and each case will be assessed individually.

Paid days may be granted at the manager's discretion and will depend on the circumstances.

##### **5.6.3 TIME OFF FOR DEPENDANTS**

Employees are entitled to take a reasonable period of unpaid time off work to deal with certain unexpected emergencies involving people who depend on them. A dependant is a spouse, partner (who lives in the same household), civil partner, child, parent or a person who lives in the same household as the employee, but not a tenant, lodger or an employee e.g. nanny. A dependant also includes a person who reasonably relies on the employee for example, a neighbour or grandparent.

The amount of time that is granted will be dependent on the circumstances and each case will be assessed individually. However, the reason for the time off is to set up and make arrangements for longer-term support and you are only entitled to a "reasonable" amount of time off. Therefore, the length of absence should not normally exceed 2 days.

##### **5.6.4 DOMESTIC EMERGENCIES**

The Company recognises that from time to time certain domestic emergencies occur which are beyond your control. In the event that you require time off for such a domestic emergency you must advise your manager as soon as possible but in any event, no later than 9.00 am on each day of absence. Any such absence will be unpaid unless the Company in its absolute discretion determine otherwise. Excessive absences will be investigated and the Company reserves the right to require confirmation of any emergency.

Where an employee requires time off for a prearranged visit e.g. to allow workmen entry to their home, annual leave must be used.

## **5.7 JURY SERVICE/WITNESS AT COURT**

If you are called for jury service, you should immediately inform your manager. As regards jury service, you should receive a loss of earnings form from the Court, this should be sent to the Office Manager who will in turn complete and return to you in time for your jury service.

The Company does not pay employees who are absent from work due to being called as a witness in court cases (with the exception of cases where you are being called as a witness on behalf of the Company). You should claim loss of earnings from the solicitors involved.

## **6 FAMILY FRIENDLY WORKING**

### **6.1 MATERNITY POLICY**

It is our policy to ensure that when an employee is pregnant she receives the correct entitlement to maternity leave and pay. It is also our policy to be sensitive to any additional needs of a pregnant employee and to make sure that she is working in an environment that will not have an adverse effect on her health or that of her unborn baby. Any woman expecting a baby has rights to the following:

- Reasonable time off for antenatal care
- Protection from dismissal
- Protection from exposure to risk
- Maternity pay (or maternity allowance)
- Return to work after childbirth

- All pregnant employees are entitled to 52 weeks' maternity leave (26 weeks' Ordinary Maternity Leave and 26 weeks' Additional Maternity Leave). This applies regardless of length of service.
- The contract of employment continues during Ordinary Maternity Leave.
- During your Ordinary Maternity Leave period, you will continue to receive all your contractual benefits except salary.

### **Maternity Pay**

To be eligible for 39 weeks' Statutory Maternity Pay (SMP) an employee must:

- Have been continuously employed by the Company for at least 26 weeks up to and including the 15<sup>th</sup> week before the expected week of childbirth (EWC).
- Have average earnings not less than the lower earnings limit for the payment of national insurance contributions in the eight weeks prior to the 15<sup>th</sup> week before the EWC
- Still be pregnant at the 11<sup>th</sup> week before the EWC or have given birth by then
- Comply with the notification requirements

If you do not qualify for SMP, the Office Manager will provide you with an SMP1 form which will enable you to claim maternity allowance from Social Security. Maternity allowance is paid directly through your local Social Security/Job Centre Plus office.

### **Notification Requirements**

You must let your manager know that you are pregnant no later than the end of the 15<sup>th</sup> week before the EWC. You will be asked to provide a MATB1 form confirming details of your pregnancy.

In order to qualify for the right to maternity leave, you must give at least 28 days' notice of the date you wish to start your leave. If you wish to change the date on which you start your maternity leave, you should notify your manager within 28 days before the intended date if possible.

### **Time off for antenatal care**

All pregnant employees regardless of length of service are entitled to reasonable paid time-off for antenatal care, which may include parent-craft classes if recommended by a general practitioner. Appointments should be made outside working hours wherever possible. Your manager may ask you to provide an appointment card confirming the time/date of the appointment.

### **Health & Safety – protection from exposure to risks**

The ability of a pregnant employee to carry out normal working activity without significant health risk will vary according to the job she does and the state of her health. The manager should consult the Health & Safety Policy for details on carrying out a risk assessment when an employee gives notification of her pregnancy. If the person is unable to continue in her current role due to the potential risk to her own health or that of her unborn baby, every reasonable effort will be made to provide suitable alternative work. If a suitable job is not available or the employee refuses to carry out the alternative work, the employee cannot be dismissed but it may be necessary to suspend the employee on maternity grounds. In this case, the employee will continue to receive their normal wage or salary for the duration of the suspension.

### **Timing of Maternity Leave**

Maternity leave can start at any time from the beginning of the 11<sup>th</sup> week before the EWC. If you are absent from work for a pregnancy related illness after the beginning of the 4<sup>th</sup> week before the EWC, the first day of your absence will be treated at the start of the maternity leave and the manager should confirm this using the standard letter MAT7. If the baby is born before the planned start of maternity leave, the day after the birth date will be treated as the start of maternity leave.

### **Keeping in Touch Days (KIT Days)**

Keeping in touch with your manager or workplace during your maternity leave can help to make returning to work easier. As an example, you may want to be notified of changes happening at work. As well as staying in contact, you can also agree to working for up to 10 days during maternity leave. These are known as Keeping in Touch days (KIT days) which are not limited to your usual job – they could be used for training or other events. You may also want to use your KIT days to help ease the return to work. You will be paid at your normal rate of pay for each KIT day worked. Maternity leave is unaffected by the number of KIT days worked.

### **Returning to Work**

If you wish to return to work before the date you are due to return from maternity leave, you must notify your manager in writing at least 8 weeks before the date on which you would like to resume work. If you are unable to return to work on the notified date because of illness, you may delay your date of return provided you can supply a medical certificate to cover this illness. The period of absence will become sickness absence and will be dealt with under the sickness policy. After ordinary maternity leave, you have the right to return to your previous job on the same terms and conditions of employment. After additional maternity leave, you have the right to return to work, however, if it is not possible for you to return to her old job, you may be asked to move to a similar one on no less favourable terms and conditions.

If for reasons of childcare, you request a change to your previous working arrangements, you should refer to the Flexible Working Policy.

You may also want to consider parental leave and details of this are contained in the Parental Leave Policy.

## **6.2 PATERNITY LEAVE**

The right to Paternity Leave is available to an employee whose spouse, partner or civil partner gives birth to a child or adopts a child. To qualify for Paternity Leave, you must be continuously employed with the Company for at least 26 weeks.

You are entitled to 2 weeks' paternity leave which can be taken either in one-week block or the two weeks. If an employee elects to take only one week's Paternity Leave, they cannot take a further week's leave at a later date in respect of the same child. Paternity Leave can only be taken in a single block.

These two weeks will be paid at the Statutory Paternity Pay (SPP) rate. Employees whose average earnings are below the Lower Earnings Limit for National Insurance purposes will not

qualify for SSP. If you fall into this category then you should contact the local Jobcentre Plus or Social Security office.

Paternity Leave must be taken within 56 days of the date of birth, or from when your new arrival has been placed with you after the adoption and you must give your manager as much notice as possible that you intend to take your leave.

### **Shared Parental Leave**

Shared Parental Leave is designed to give parents more flexibility in how to share the care of their child in the first year following birth or adoption. To be eligible for this leave the mother or adopter must be entitled to some form of maternity or adoption entitlement, have given notice to curtail it and must share the responsibility for caring for the child with the named partner.

You must have at least 26 weeks' continuous service at the end of the 15<sup>th</sup> week before the week in which the child is due (or the week in which an adopter was notified of being matched with a child or adoption) and is still employed in the first week that Shared Parental Leave is to be taken.

You must have worked for at least 26 weeks in the 66 weeks leading up to the due date and have earned above the maternity allowance threshold of £30 in 13 of the 66 weeks.

Shared Parental Leave may be taken at any time within the period which begins on the date the child is born/date of the placement and ends 52 weeks after that date.

You are entitled to submit three separate notices to book leave. Leave must be taken in complete weeks and must be taken in a continuous period. If a request for discontinuous leave is made and refused, then the total amount of leave requested will automatically become a continuous block.

**Statutory Shared Parental Pay** is currently paid at £139.58 per week or 90% of your average weekly earnings (whichever is lower).

If the mother or adopter curtails their entitlement to maternity/adoption pay or maternity allowance before they have used their full entitlement then SSPP can be claimed for any remaining weeks.

To qualify for SSPP both parents need to meet the continuous employment criteria of 26 weeks and in addition both parents must have earned an average salary of the lower limits of £111 for the 8 weeks prior to the 15<sup>th</sup> week before the expected due date or matching date.

## **6.3 ADOPTION LEAVE**

An employee who adopts a child through an approved adoption agency is entitled to up to 52 weeks' adoption leave regardless of length of service. You can take up to 26 weeks' adoption leave followed immediately by up to 26 weeks' additional adoption leave. Adoption leave can begin on the day the child is placed for adoption or up to 14 days earlier.

### **Statutory Adoption Pay (SAP)**

To be eligible for SAP you must have 26 weeks' continuous service as at the week in which notification of matching was given by the adoption agency and have average weekly earnings not less than the lower earnings limit for national insurance contributions. SAP is payable for up to 39 weeks and is payable at 90% of normal earnings for the first six weeks followed by a rate set by the Government.

### **Notice Requirements**

You are required to advise your manager in writing of your intention to take adoption leave no later than seven days after the date on which notification of the match with the child was provided by the adoption agency. You must also advise your manager when you intend your adoption leave to start.

You are permitted to bring forward or postpone your adoption leave start date provided that you advise in writing at least 28 days before the new start date., or if that is not possible, as soon as

reasonably practicable. You should submit to your manager evidence of your entitlement to adoption leave and pay by producing a matching certificate from the adoption agency.

### **Time off to attend Adoption Appointments**

If you are adopting a child, you are entitled to take paid time off to attend up to five adoption appointments. The time off must be taken before the date of the child's placement with you. The Company will only permit this time off after submission of proof of this appointment.

### **Rights during Adoption Leave**

During ordinary adoption and additional adoption leave, all terms and conditions of your contract except normal pay will continue. Your normal pay will be replaced by SAP if you are eligible for it. You should try to take any outstanding holidays due to you before your adoption leave starts.

### **Keep in Touch Days (KIT Days)**

Keeping in touch with your manager or workplace during your adoption leave can help to make returning to work easier. As an example, you may want to be notified of any changes happening at work. As well as staying in contact, you can also agree to working for up to 10 days during adoption leave. These are known as Keeping in Touch Days (Kit days). There is no requirement for the company to offer such days nor are you obligated to undertake these.

### **Returning to work after Adoption Leave**

You may return to work at any time during ordinary adoption leave or additional adoption leave provided that you give your manager at least eight weeks' notice in writing. Alternatively you may take your full entitlement to adoption leave and return once this has elapsed.

After ordinary adoption leave you have the right to return to your previous job on the same terms and conditions of employment. After additional adoption leave, you have the right to return to work, however, if it is not reasonably practicable to return to the same job, you may be offered another suitable job that is on no less favourable terms and conditions.

## **6.4 PARENTAL LEAVE**

You are entitled to 13 weeks unpaid Parental Leave for any purpose connected with the care of any child for whom you have parental responsibility provided you have more than one year's continuous service. This leave must be taken by the child's 5<sup>th</sup> birthday. You can take up to four weeks parental leave per year and it must be taken in blocks of multiples of one week or more.

If you have a child with a disability and you are receiving Disability Living Allowance for the child, the leave may be taken up to the child's 18<sup>th</sup> birthday and increases to 18 weeks. There is no limit to the amount of time that can be taken in each year and the leave does not need to be taken in blocks or multiples of one week.

Where a child is adopted, a parent is eligible for parental leave for five years after the child is placed for adoption, or up until the child's 18<sup>th</sup> birthday, whichever is sooner.

### **Who qualifies for Parental Leave?**

- Both mothers and fathers can take parental leave.
- A parent is entitled to 13 weeks leave per child, therefore, the leave will extend to 26 weeks for twins, 39 weeks for triplets etc.
- In some cases legal responsibility for looking after a child will have been given to someone other than a natural or adoptive parent, such as a guardian. Such individuals will also be eligible for parental leave.
- You must have more than one year's continuous service. if you have a child under the age of 5 have a disabled child under the age of 18 or have adopted a child within the last 5 years and have completed 1 years qualifying service by the time you want to take the leave. Both males and females can take parental leave.

## **Procedures**

If you wish to apply for parental leave you must give 21 days' notice before the date you wish to start your leave. The manager will make every effort to accommodate this request, however, the following extreme circumstances may result in the parental leave application being refused at the time:

- Where the business would be particularly disrupted if the leave were taken at the requested time.
- If work is at a seasonal peak
- Where a significant proportion of the workforce applies for parental leave at the same time
- If your role is such that your absence would unduly harm the business.

Should your leave be postponed, the postponement cannot be for more than six months after the date on which you originally requested your parental leave to start. Your manager will discuss this with you and confirm the postponement arrangements in writing no later than seven days after your original request to take leave. If leave is requested for a period immediately after a child is born or placed with a family for adoption, this cannot be postponed.

### **Returning to Work**

After parental leave of four weeks or less, you have the right to return to the same job on the same terms and conditions. For those who take a longer period of leave, or whose leave was added to the end of additional maternity leave, have the right to return to a job which is suitable and appropriate in the circumstances and which has the same or better terms and conditions.

## **6.5 FLEXIBLE WORKING**

All employees who have worked for 26 weeks or more have the right to request flexible working. Typical Flexible Working requests includes homeworking, part-time working, job sharing, compressed hours etc.

An application under the right must:

- Be in writing stating the date the request is made, the change to working conditions you are seeking and the date that you would like the change to take effect from.
- State what change to working conditions you are seeking and how you think this might affect the business e.g. cost saving to the business.
- Specify the flexible working pattern applied for (you should detail all the potential changes you would consider as suitable to your circumstances)
- State if you are making a request in relation to the Equality Act 2010, for example, as a reasonable adjustment for a disabled employee
- State whether a previous application has been made to the employer and, if so when it was made

### **Process**

Once a request has been received you may be asked to attend a meeting with your manager to within 14 days of receipt to discuss what changes you are asking for. This meeting will also give the opportunity to ensure that your proposal is the best solution for the Company and for you. Your request, however, may be approved without further discussion and you will be advised in writing of the changes to your contract. This may be on a temporary basis or include a trial period.

Your request can be refused based on the following reasons:-

- the burden of additional costs
- an inability to reorganise work amongst existing employees
- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- a detrimental effect on ability to meet customer demand
- a planned structural change to the business



Your manager will confirm in writing of the decision as soon as is reasonably practicable but no later than 14 days after the meeting.

### **Right to Appeal Decision**

You have the right to appeal the decision if your request has been refused or only agreed in part.

You should make your appeal in writing within 14 days of being notified of a decision. You should clearly state the grounds on which you are appealing. The appeal will be heard within 14 days and you will be advised of the outcome of your appeal within 7 days. These time limits may be extended with the agreement of both the employee and the manager.

### **Trialling new Working Arrangements**

Where there is some uncertainty about whether the flexible working arrangement is practicable for you and/or the Company a trial period may be agreed. If a trial period is arranged the Company will allow sufficient time for you and your manager to implement and become used to the new working practices before taking any decisions on the viability of a new arrangement.

### **Changes to your Contract**

Where flexible working practices are agreed as a permanent change, a variation will be made to your contract of employment and you will be issued with a new contract.

Where a trial period has been arranged the Company will provide a document that details your new working pattern and makes clear that it is only a temporary variation to your contract terms. You will be advised of the start and end dates of the trial period which can be reduced or lengthened where necessary by mutual agreement. The Company reserves the right, at the end of the agreed trial period, to require you to revert to your previous working arrangements.

### **Complaints**

If you feel that you have been treated unfairly or are dissatisfied with any stage of the Flexible Working process, you should raise your concerns informally with the Office Manager.

If informal discussions do not resolve the matter to your satisfaction, you should raise a grievance under the Company's grievance procedure.

## **7. DISCIPLINE PROCEDURES**

### **7.1 DISCIPLINARY RULES AND PROCEDURES**

Disciplinary Rules and Procedures are necessary not only in the promotion of fairness and order, but also in assisting any organisation to operate effectively. It is thus necessary to have a number of Rules, in the interests of both the Company and yourself.

The Rules set standards of performance and behaviour whilst the Procedures are designed to help promote fairness and order in the treatment of individuals. It is the aim of the Rules and Procedures to emphasise and encourage improvement in the conduct of individual employees, where they are failing to meet the required standards, and not purely as a means of punishment.

Every effort will be made to ensure that any action taken under this procedure will be fair, with employees being given the opportunity to state their case and appeal against any decision they consider unjust.

The Rules and Procedures which are set out below should ensure that:-

(a) All employees are fully aware of the standards of performance, action and behaviour required of them.

(b) Disciplinary action, where necessary, is taken within a reasonable time and in a fair and consistent manner.

(c) An employee will only be the subject of the disciplinary process after careful investigation of the facts. They will then be given the opportunity to present his or her side of the case.

(d) Employees have the right to be accompanied by a fellow employee or a lay or full time trade union official (if applicable) at formal stages of the disciplinary process.

(e) An employee will not be dismissed for a breach of discipline on the first occasion, except in the case of gross misconduct.

(f) An employee who is the subject of the disciplinary process will receive both an explanation of any penalty imposed, and also the right to appeal against the penalty. (with the exception of an appeal decision).

## **7.2 DISCIPLINARY RULES**

It is not practicable to specify all the disciplinary rules or offences which may result in disciplinary action, as circumstances may vary depending on the nature of the work and environment.

The following Rules and Disciplinary Procedures, together with the General Notices which are set out further on in this Handbook form an important part of your Contract of Employment with the Company and they should be read carefully and understood. Please note that when an employee is on their probation period, the discipline process may not have to be followed in full.

## **7.3 RULES COVERING UNSATISFACTORY CONDUCT AND MISCONDUCT** (Examples only)

### **A. HEALTH AND SAFETY**

1. Employees must at all times abide by the Company's Health and Safety rules.
2. No action is to be taken by employees which could threaten the health and safety of themselves, of other employees, visitors to the premises, or members of the public.
3. All employees should make themselves familiar with the terms of the Company's Health and Safety Policy and Procedures and should be aware of their own duties and responsibilities for health and safety.

### **B. ABSENCE AND TIMEKEEPING**

1. Employees must attend for work punctually at the specified times as detailed in your Terms and Conditions of Employment.
2. Lateness for work will be monitored, and lateness in attendance for work on more than one occasion in a week, or on more than three occasions in a month or on a regular basis over a longer period will render the employee liable to disciplinary action, and may result in appropriate deduction from salary.
3. All absences must be notified to the employee's manager and the Office Manager as per sickness absence procedure (section 5.4.2). Employees must personally inform their manager of the reason for their absence and of when they are likely to return to work as soon as possible and by no later than the time by which you are required to attend work. Failure to obtain authority or to inform the Company on the first day of sickness in the case of sickness absence will render you liable to disciplinary action and possible loss of payment, and could lead to dismissal. See the rules relating to Sickness for further details.
4. All other absences from work, including leaving before the normal finishing times, unexplained absence and absence without leave (AWOL) will be treated as unauthorised and will render an employee liable to disciplinary action, which could lead to dismissal unless express permission for the absence has been obtained from the employee's manager.

5. You must at all times comply with any time recording procedures relating to your area of work that the Company may introduce from time to time.

#### C. WORKING STANDARDS

1. Unsatisfactory standards of work will be investigated, and employees concerned will be subject to disciplinary action if poor job performance is found.

2. Unsatisfactory rate of work will similarly be investigated and may result in action being taken to remedy the employee's deficiencies or to enforce disciplinary action, depending on the circumstances.

#### D. BEHAVIOUR AT WORK

1. All employees should behave with civility towards fellow employees and no rudeness will be permitted towards other employees, sub-contractors, customers, suppliers, visitors, or members of the public etc. Objectionable or abusive behaviour or language will lead to disciplinary action.

2. All employees shall use their best endeavours to promote the interests of the Company and shall, during their normal working hours, devote the whole of their time, attention and abilities to the Company's business and affairs.

3. Any involvement in activities which could be construed as being in competition with the Company's business is forbidden.

4. You shall not during or after the period of employment with the Company divulge to any person whatever or otherwise make use of and shall use your best endeavours to prevent publication or disclosure of any trade secret or secret manufacturing process or any confidential information concerning this business or any of its dealings, transactions or affairs of any trade secret or secret manufacturing process or any such confidential information concerning any of the associated companies or any of their suppliers agents distributors or customers.

5. All reasonable instructions from an employee's superior are to be obeyed.

6. Alcohol or drugs must not be consumed during working hours, nor may it be brought onto the premises, nor onto the premises of customers for consumption. A breach of this rule can lead to summary dismissal. See separate Alcohol & Drugs Policy.

7. Incapacity or poor performance at work due to taking of intoxicants or drugs will be treated as a serious breach of the rules, and can lead to summary dismissal. See separate Alcohol & Drugs Policy.

8. Any occasion when an employee is found asleep at work will be treated as a serious breach of the rules, and can lead to summary dismissal.

#### E. MEDIA STATEMENTS

You shall not without the prior written consent of the Group Managing Director either directly or indirectly publish any opinion, fact or material or deliver any lecture or address or participate in the making of any film, radio broadcast or television transmission or communicate with any representative of the media for any third party relating to the business or affairs of the Company or any Associated Company or to any of its or their officers, employees, customers or clients, suppliers, distributors, agents or shareholders or developing or exploitation of Intellectual Property. For the purpose of this Clause "media" shall include television (terrestrial satellite and cable), radio, newspapers and other journalistic publications.

#### F. COMPANY'S PROPERTY

1. Use of property or vehicles belonging to the Company for any purpose other than normally defined duties is not permitted.

2. Property is not to be removed from the premises without prior authority.

3. Employees must take every precaution to prevent loss of or damage to Company property, and must notify the appropriate manager at once of any damage to property or premises, however caused. You are expected to take all reasonable steps to protect the Company's premises and Company Property, and to avoid the misuse of Company Property and waste of office or other material, and to maintain good housekeeping. Deliberate damage, or failure to take reasonable care of the Company's premises or Company Property, can constitute a serious offence, for which disciplinary action could be taken.

4. Drivers of Company vehicles must conform to the conditions set out in the Company Vehicle Handbook.

#### **7.4 RULES COVERING GROSS MISCONDUCT** (These are examples only and this list is not exhaustive)

An employee will be liable to summary dismissal if he or she is found to have acted in any of the following ways:-

1. A serious or wilful breach of the Unsatisfactory Conduct and Misconduct Rules itemised in the previous Section of these Rules.
2. Grossly indecent or immoral behaviour.
3. Dangerous behaviour, serious horseplay, fighting, physical assault or threatening violence.
4. Deliberate acts of harassment, victimisation or discrimination, on the grounds of race, sex, religion or belief, age, disability, sexual orientation or otherwise.
5. Undertaking private work on the premises and/or in working hours without express permission.
6. Deliberate falsification of any records, including Company documentation, computer records, expenses, time records, drivers' logs, absence records, claims for sick pay and so on, in respect of the employee or any fellow employee.
7. Careless or dangerous driving or loss of driving licence on conviction where driving is an essential part of job requirements.
8. Theft of money or property belonging to the Company, another employee or a third party.
9. Serious Health and Safety breaches which could bring danger to life or danger of personal injury etc. of the employee, other employees or any other person.
10. Destruction or sabotage of the Company's property or any property on the premises, or of property belonging to customers, visitors etc.
11. Gross insubordination and/or refusal to obey legitimate instructions given by a supervisor or member of management.
12. Any breach of a legal statute which has a direct effect on the ability of the employee to undertake his or her stated duties and/or on the desired characteristics of the employee's position, and/or which could adversely affect the reputation or trading position of the Company, whether the offence be committed at work or outwith the Company's premises and working hours.
13. Consumption of alcohol or drugs during working hours, whether on or off the premises, or customers' premises, or being affected by alcohol or other forms of intoxicants.
14. Abuse or unauthorised use of telephones or computers and e-mail or internet access.

#### **7.5 DISCIPLINARY PROCEDURE**

Disciplinary action taken against an employee will normally be based on the following procedure:-

Employee Handbook  
1<sup>st</sup> Edition 2017

### Stage 1 – Verbal Warning

If conduct and/or performance does not meet acceptable standards, employees will normally be given a Verbal Warning.

They will be advised of the following:

- The reason for the warning
- That it constitutes the first step in the disciplinary procedure
- The right to appeal
- The period during which the warning will last
- Any guidance or training which has been agreed upon (where appropriate)
- The date on which their conduct/job performance will be reviewed again

A written record of this warning will be kept on file and will be disregarded after 6 months, subject to satisfactory performance and/or conduct.

### **Stage 2 – Written Warning**

If the offence and/or poor performance is serious, or if further misconduct and/or poor performance occurs, a written warning will be given.

This will detail the following:

- Details of the complaint
- The improvement or change in behaviour required and the timescales for this
- The right of appeal including how to make the appeal and to whom
- Inform them that a final written warning may be considered if there is no sustained satisfactory improvement or change
- The period during which the warning will last
- Any guidance or training which has been agreed upon (where appropriate)
- The date on which their conduct/job performance will be reviewed again

A written record of this warning will be held on your file and will be disregarded after 12 months

### **Stage 3 – Final Written Warning**

If there is still a failure to improve and conduct and/or performance is still unsatisfactory, or if the misconduct and/or poor performance is sufficiently serious to warrant only one written warning but insufficiently serious to justify dismissal, a Final Written Warning will normally be given.

This will detail the following:

- details of the complaint
- the improvement and/or change in behaviour required and the timescales for this
- inform the worker that failure to improve or modify behaviour may lead to dismissal or some other action short of dismissal
- the right of appeal including how to make the appeal and to whom
- the period during which the warning will last
- any guidance or training which has been agreed upon (where appropriate)
- the date on which their conduct/job performance will be reviewed again

A written record of this warning will be held on your file, will be disregarded after 12 months.

### **Stage 4 – Dismissal**

If conduct and/or performance is still unsatisfactory and you still fail to reach the prescribed standards or where it is no longer appropriate for you to remain in the Company's employment, dismissal will normally result.

A decision to dismiss will only be taken by the appropriate manager after consultation with the Office Manager. You will be informed in writing of the following information:

- The reason for the dismissal
- The date on which the contract between the parties will terminate
- The appropriate period of notice (or pay in lieu of notice)
- The right of appeal including how to make the appeal and to whom

### **Summary dismissal**

Summary dismissal means immediate dismissal without notice or pay in lieu of notice and is often warranted in cases of gross misconduct. A list of acts which constitute gross misconduct, is detailed above; although employees are reminded that this list is not exhaustive.

### **The Statutory Right to be Accompanied**

As previously stated you are entitled to be accompanied by an employee of your choice (within reason) or an appropriate trade union representative at the disciplinary hearing, when you have made a reasonable request.

Written confirmation of any penalty will always be given. This should be signed by the employee as confirmation of issue, however an employee's refusal to sign this will not render it invalid. Copies will be issued to the employee and the employee's manager. A copy will also be placed in the employee's personnel record.

Any warning issued will be regarded as spent after an appropriate period during which there has been no cause for further disciplinary action, except where the offence is of so serious a nature, e.g. serious negligence or damage to Company property that any repetition of the offence at any time would result in dismissal.

The appropriate periods after which warnings will be regarded as spent are:-

#### **Official Verbal Warning - 6 Months**

#### **Written Warning - 12 Months**

#### **Final Written Warning - 12 Months**

#### NOTES

Dismissal for Gross Misconduct offences will invariably render the employee liable to termination of his or her employment without notice, and without any payment in lieu of notice.

Should you be dismissed for any reason, with or without notice, the Company reserves the right to deduct from final payment any amount due to the Company in respect of holiday pay overpaid for that point of the holiday year, and as stated in the Conditions relating to Salaries, it is a condition of employment with the Company that you agree by signing your Statement of Terms and Conditions of Employment (Contract Statement) that should you be dismissed or leave the Company for any reason whatsoever, the Company have the absolute right to deduct from final pay or salary any amounts of money due by you to the Company, i.e. in respect of overpayment made to you, loans extended to you, operating cash floats or deficiencies found and itemised in monies due to the Company which have been your responsibility.

Suspension from work with pay for a limited period may be considered as a temporary measure where management require time to fully investigate the circumstances before coming to a final decision.

An employee has the right of appeal against any disciplinary decision taken against him or her. (see the Section headed Disciplinary Appeal Procedure).

## **7.6 DISCIPLINARY APPEAL PROCEDURE**

The Disciplinary Rules and Procedures which form part of your Contract of Employment incorporate your right to lodge an appeal in respect of any disciplinary action taken against you.

If you wish to make an appeal, you should apply to your manager, in writing, within two working days of receiving the decision about which you wish to complain. You should state why you wish to appeal, i.e. if you maintain you are innocent of the stated offence, or why you feel that the penalty imposed is too severe.

The Disciplinary Appeal Investigation will be conducted and a hearing will be convened within a reasonable period of time. The appeal will be heard by a more senior person than the person who issued the decision complained of. You will have the right to be accompanied by another employee of the Company or by a representative acceptable to both management and yourself. You will be given a full opportunity to state your case, and to call and question any witnesses.

The result of the Appeal will be made known to you, in writing, within five working days after the hearing.

The range of possible outcomes shall not be regarded as cumulative in all the circumstances. The Company reserves the right to omit any stage of the procedure as it thinks fit or not to invoke the procedure as appropriate to the individual circumstances.

## **8. CAPABILITY PROCEDURE**

### **This procedure is designed to**

- ❑ Promote fairness and consistency in the treatment of all staff
- ❑ Promote a problem-solving approach rather than blame culture.
- ❑ Provide guidelines for managers to manage poor performance in which the required standard has not been met due to lack of:
  - Knowledge
  - Experience
  - Skill
  - Aptitude

A distinction should be made between poor performance resulting from incapability due to ill health or a wilful refusal to work satisfactorily as detailed in the Disciplinary Policy.

### **The Process**

When embarking on the capability procedure, managers must ensure that:

- ❑ Standards have been established and agreed
- ❑ Performance is regularly monitored and fed back
- ❑ Employees are given appropriate training and support to meet the standards.

The process consists of an informal and a formal stage:

#### **INFORMAL STAGE**

- Informal discussion with manager and employee
- A job review should be carried out in the first instance
- Establish whether there could be any contributory organisational or external factors

Having given consideration to any contributing factors, your manager will meet with you at the earliest mutually convenient opportunity. The aims of the meeting will be to:

- ❑ Identify the causes of the poor performance and to establish what is required to assist you in rectifying the problem. (e.g. training, further support)
- ❑ Explain clearly the shortfall between your performance and the required standard.
- ❑ Obtain your commitment to reaching that standard, by setting reasonable targets.
- ❑ Set a reasonable period for you to reach the required standard, and agree on the operation of a monitoring system during that period.
- ❑ Tell you what will happen if that standard is not met.

An action plan should be drawn up as a result of the meeting recording the points above and setting a timetable for further reviews and a copy shall be given to you.

Your manager shall:

- Ensure regular reviews take place
- Establish progress, provide feedback and identify any further support needs
- Fix a final review meeting under informal process for end of period agreed for the employee to reach the required standard
- If your performance has not reached a satisfactory standard, progress to the formal stage of the procedure



## FORMAL STAGE

There are 3 formal stages under this procedure:-

- ❑ First formal performance review meeting
- ❑ Second formal performance review meeting
- ❑ Final formal performance review meeting, the outcome of which may be dismissal on the grounds of capability through performance, downgrading or re-deployment.

At all meetings under the formal process the following matters will be reviewed:

- ❑ A summary of action taken under all stages of the procedure which will be provided to you outlining your progress under the procedure to date.
- ❑ Any improvements in performance and whether and in what respects you are continuing to fail to meet the required standard.
- ❑ Any reasons provided by you for continuing poor performance, identifying any further benefit to be gained through training or further support.
- ❑ Any further mitigating factors, which could have hindered your progress in achieving the required standard.

At the first and second performance review meetings, if the employee has failed to meet the required standard, consider establishing a new action plan or reaffirming the existing one.

At the first performance review meeting a Capability Warning will be given. This will detail the following:

- Details of the required performance
- The improvement required and the timescales for this
- The right of appeal including how to make the appeal and to whom
- That a final Capability Warning may be considered if there is no sustained satisfactory improvement
- The period during which the warning will last
- Any guidance or training which has been agreed upon (where appropriate)
- The date on which their job performance will be reviewed again

A written record of this capability warning will be held on your file and will be disregarded after 12 months

At the second performance review meeting, if there is still a failure to improve and performance is still unsatisfactory, a Final Capability Warning will normally be given. This will detail the following:

- details of the required performance
- the improvement required and the timescales for this
- that failure to improve may lead to dismissal or some other action short of dismissal
- the right of appeal including how to make the appeal and to whom
- the period during which the warning will last
- any guidance or training which has been agreed upon (where appropriate)
- the date on which their job performance will be reviewed again

A written record of this warning will be held on the employee's file and will be disregarded after 12 months.

- At the final performance review meeting your manager will determine what further action is necessary. This will include consideration of whether dismissal, downgrading to a lower grade (without protection) or redeployment is appropriate. A decision to dismiss will only be taken by the appropriate designated manager [after consultation with the Office Manager authority to dismiss must also be given by a Company Director].The employee will be informed in writing of the following information:

- The reason for the dismissal
- The date on which the contract between the parties will terminate
- The appropriate period of notice (or pay in lieu of notice)
- The right of appeal including how to make the appeal and to whom

If you wish to invoke your right to appeal, you should confirm this in writing to your manager within two working days of receiving the decision about which you wish to complain. You should state in writing the basis of your appeal e.g. you may feel that your performance has improved or that the targets set were unreasonable or that the penalty imposed is too severe.

The basis of your appeal will be investigated and a hearing will be convened within a reasonable period of time. The appeal will be heard by a more senior person than the person who issued the decision complained of. You will have the right to be accompanied by an employee of your choice (within reason) or an appropriate trade union representative. You will be given a full opportunity to state your case.

The result of the Appeal will be made known to you in writing, within five working days after the appeal hearing. The appeal decision shall be final.

The Company reserves the right to omit any stage of the procedure as it thinks fit or not to invoke the procedure as appropriate to the individual circumstances.

## **9. GRIEVANCE PROCEDURE**

It is the organisation's policy to encourage employees with grievances relating to their employment to use the procedure below to seek satisfactory solutions. The Company will endeavour to resolve grievances within a reasonable time. Employees who have raised grievances will be treated fairly at all times before, during and after the conclusion of the grievance hearing(s) provided the grievances were made in good faith.

### **PROCEDURE**

#### **A) INFORMAL STAGE**

If you have a grievance about your employment you should discuss it informally with your immediate manager. The manager will give a response verbally within 5 working days. (See notes 1 and 3 for exceptions to this procedure)

#### **B) FORMAL STAGE**

##### **STAGE 1**

If you feel that the matter has not been resolved satisfactorily through informal discussions, you should put your grievances in writing to your immediate manager. You will receive an acknowledgement within 5 working days and a meeting will be arranged as soon as is reasonably practicable. Any relevant witnesses and the manager will attend the meeting. You may choose to be accompanied by employee, full time or lay trade union official. The manager will provide a response within 5 working days of the meeting.

##### **STAGE 2**

If you are not satisfied with the manager's response you may raise the matter in writing, with the relevant Senior Manager/Director. A meeting will be arranged, constituted as in Stage 2, except that the senior manager will replace the manager. The senior manager will provide a response within 5 working days of the meeting.

##### **STAGE 3**

If the matter is not resolved to your satisfaction you should put your grievance in writing to the Managing Director. You will receive an acknowledgement within 7 working days and a meeting will be arranged. The constitution of the meeting will be as stage 2 except that the Managing Director or an authorised deputy will replace the Senior Manager. The Managing Director/authorised deputy will give a response with 5 working days of the meeting. That decision will be final.

### **INVESTIGATIONS DURING DISCIPLINARY & GRIEVANCE PROCEEDINGS**

The Company is committed to ensuring that all grievances and alleged disciplinary offences are fully investigated. This may entail carrying out interviews with the employee concerned and third parties such as witnesses, employees and managers, as well as analysing written records and other sources of information. Any evidence which the Company intends to rely on will be copied to the relevant employee (or their representatives) in advance of the hearing wherever possible, where it is not possible to provide the information in advance, the relevant employee may ask for a postponement of the hearing to consider the evidence. Where necessary the identity of witnesses will be kept confidential.

### **NOTES**

1. You may raise a complaint directly with a senior manager if it:
  - a) Concerns your immediate manager
  - b) Is of too personal or sensitive a nature to raise with your immediate line manager
2. Thus, complaints concerning discrimination, bullying or harassment by your immediate manager may be raised directly with a senior manager. This may be done informally or formally i.e. at stage 2 of the procedure.

3. If your complaint concerns an alleged wrongdoing or criminal offence by persons within the organisation you should raise it immediately with the Managing Director, i.e. at stage 3 of the procedure. See the Public Interest Disclosure Act 1998 (known as the Whistleblower's Act) for details of the additional protection available for protected disclosures.
4. The grievance procedure should not be used for appeals against disciplinary decisions, as that is the purpose of the disciplinary appeals procedure. If, however, you have a complaint about the manner in which a manager has conducted him or herself during the course of a disciplinary case you may raise it as a grievance with a senior manager. If necessary the disciplinary procedure may be suspended for a short period until the grievance can be considered,
5. Every effort will be made to ensure that employees are encouraged to raise grievances and will not suffer any detriment from doing so. However, you should note that if your grievance is found to have been made in bad faith you will be subject to the company's disciplinary procedure.
6. A representative, normally our Office Manager, will normally attend all formal grievance meetings in order to take notes, ask clarifying questions, provide advice on the procedure and ensure that the meeting is conducted fairly.
7. The timescales listed above will be adhered to whenever possible. However, it will not always be possible for the company to comply with the timescales set down because of the need for further investigations, the complexity of a particular grievance or lack of available witnesses. The company therefore reserves the right to make reasonable extensions to the various timescales set out in this document.
8. For senior managers/directors and employees during their first year of employment, the company reserves the right to speed up the decision-making process and therefore may choose to follow a truncated version of the above procedure.
9. The company reserves the right to seek assistance from external facilitators at any stage in the grievance procedure, in the interest of seeking a satisfactory outcome for all concerned.

## **10. HARASSMENT, VICTIMISATION AND BULLYING**

### **10.1 INTRODUCTION**

1. Many people in our society are victimised, harassed or bullied as a result of their race, creed, colour, nationality, sex, sexual orientation, religion or belief, age or disability. The Company insists that every employee be treated with dignity and respect and therefore cannot condone any form of harassment, victimisation or bullying.
2. Harassment can take many forms but in general terms it can be defined as:
  - unwanted conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an employee

The Company will not tolerate such treatment of its employees, the public or any other person. Examples of harassment are as follows however this does not constitute the full grounds by which harassment is established. Any employee found guilty of harassment will be liable to the disciplinary procedure and if sufficiently serious will be summarily dismissed. Examples of conduct which is clearly unacceptable will include:-

- a) unwelcome sexual attention in the form of physical or verbal conduct.
  - b) insults or ridicule because of sex, race or disability.
  - c) other behaviour which is of an offensive nature involving physical or verbal conduct or inferring such conduct. In addition, circulation or display of sexually explicit material may constitute sexual harassment.
  - d) direct or indirect exposure to language or action which is suggestive of a sexual nature or racially biased nature or derogatory of disability.
3. Bullying is the exercise of power over another person through negative acts or behaviours that undermine him/her personally and/or professionally. Bullying can be threatening, insulting, abusive, disparaging or intimidating behaviour that places inappropriate pressure on the recipient or has the effect of isolating or excluding them.
  4. Victimisation is where an employee is treated less favourably than they would otherwise have been treated, or has been subjected to a detriment; because they have exercised or intend to exercise their legal employment rights. Similarly, an employee should not be victimised because they have, or intend to, exercise their rights under any of the policies contained in this Handbook.

It is a disciplinary offence (for which an employee may be dismissed summarily) to victimise or retaliate against an employee who has, in good faith, made, supported or assisted in the making of a complaint of harassment or has asserted any employment rights.

The Company will not tolerate victimisation of any employee for making, supporting or assisting in a complaint of harassment or a grievance – even if the complaint is not upheld – provided the action was taken in good faith.

False accusations regarding discrimination, victimisation or harassment which were made maliciously or veraciously will be treated as gross misconduct and may result in summary dismissal.

6. Harassment, victimisation or bullying may consist of a single incident or a series of incidents. Behaviour that may appear trivial as a single incident, can constitute harassment or bullying when repeated, or in the context of the manager/employee relationship. Bullying, victimisation and harassment may also be manifested by electronic means of communication such as email. Harassment, victimisation and bullying may not be intentional, but is always unacceptable,

whether intentional or not.

## **10.2 POLICY**

The Company deplores all forms of bullying, victimisation and harassment and seeks to ensure that the working environment is sympathetic to all of its employees.

All employees of ES/FM/CS, without exception, have a positive duty to comply with the policy, to prevent harassment and bullying and to ensure that their employees are treated with respect and dignity.

### **C) COMPLAINING ABOUT PERSONAL HARASSMENT, VICTIMISATION OR BULLYING**

If you think you are being subjected to harassment or victimisation in any form or you are being bullied, do not feel it is your fault or that you have to tolerate it. Do not allow the behaviour to continue to a point where it becomes intolerable. Do something about it sooner rather than later.

1. Informal complaint - If you are the victim of minor harassment or victimisation you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally you should hand a written request to the harasser.
2. Formal complaint - Where the informal approach fails or if the harassment or victimisation is more serious, you should bring the matter to the attention of the Manager as a formal written complaint.

The person dealing with the complaint will carry out a thorough investigation in accordance with the Company's disciplinary procedure. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter. It is helpful to have available written notes of the incidents, including dates, times and location and details of any witnesses. The formal complaint will be dealt with in accordance with the Company's grievance procedure.

## **11. PUBLIC INTEREST DISCLOSURE POLICY**

The Company has a duty to conduct its affairs in a responsible way with due care for the health and safety of its employees, clients and others. It is also aware of its obligation in common with all other organisations and individuals to comply with the law. In the event that an employee becomes aware of any information, which tends to show that the Company or an employee is failing to conduct its affairs in accordance with these obligations, they are encouraged to disclose that information in accordance with this procedure.

### **What Types of Disclosure Can Be Made?**

Allegations of criminal acts, wrongdoing, malpractice, injustice or the breach of or failure to comply with any relevant legislation or common law provision should be brought under this procedure. Examples of matters which should be reported include:-

- financial or other irregularities;
- a criminal offence which is about to be, is being or may have been committed;
- a failure to comply with or a breach of relevant duties or legal obligations;
- a miscarriage of justice;
- damage to the environment;
- danger to the health and safety of any person;
- information tending to show any such matter has been, is being or is likely to be deliberately concealed.

Allegations relating to discrimination or harassment against individuals should be dealt with under established grievance procedures. The Company has specific Policies which cover any discrimination, harassment and/or bullying. The procedures laid down in such policies should be followed in such circumstances. Notwithstanding the above provisions, you are expected to report any dishonest act on the part of any other employee regardless of the status or position of that person.

### **Procedure for Making a Disclosure**

Should you come across matters of an exceptionally serious nature, and after taking a reasonable account of all circumstances surrounding the issue, you should raise your concern.

The procedure in the first instance is that you should raise the issue with your manager immediately when they become aware that any specific actions are happening. Your manager will then deal with the issue timeously and appropriately.

You may also raise the issue with a senior person (e.g. if the allegation is about your manager or your Manager has not given a satisfactory answer) and in this circumstance, may take your concern to the Office Manager or a Director of the company.

Any circumstance relating to an individual Director may be raised directly with the Managing Director.

The statutory protection applies only to disclosures made in good faith. Disclosures made in bad faith or for malicious purposes will lead to disciplinary action.

### **Protection of Employees**

Under the Public Interest Disclosure Act 1998, there is a framework of protection against victimisation and dismissal for employees, who 'blow the whistle' on any malpractice. 'Whistleblowers' can ask for their concerns to be treated in confidence – such wishes will be respected. Employees will not be penalised for informing management about any of the specific actions.

## **12. ALCOHOL & DRUGS POLICY**

Inappropriate use and/or abuse of alcohol or drugs both during work and out of working hours can have far reaching effects on the ability of employees to carry out their work.

The use and/or abuse of such substances can be responsible for increased absenteeism, decreased productivity, serious health problems for the individual involved and jeopardises the safety of fellow employees and others exposed to their activities. Additionally, a poor image of the Company could be projected when dealing with customers, contractors and the general public.

As a responsible employer, the Company acknowledges that measures must be taken to confront the issue of alcohol and drugs in the workplace. This Policy has been developed to protect the health & safety of all employees and to comply with all relevant legislation.

### Disciplinary Procedures

Employees must make themselves aware of, and comply with, this Alcohol and Drugs Policy to ensure that they are able to perform their work safely and competently and so that the standard of their work is not impaired in any manner.

All employees should note that this Policy must be followed. Any employee who fails to follow this guidance may have disciplinary action taken against them, including dismissal.

### **12.1 RULES**

- You must not consume, ingest, use or be under the influence of alcohol or drugs at any time during working hours.
- The consumption, possession, use or distribution of alcohol or drugs during normal working hours or on Company premises is strictly prohibited.
- Consumption, possession or sale of illegal drugs on Company premises is prohibited. Possession and sale are also criminal offences under the Misuse of Drugs Act 1971. Any contravention or suspected contravention of this Act will be reported immediately to the Police.
- This Policy applies equally to prescribed and over-the-counter medication. Employees taking medication which has, or could have, a significant adverse effect on your work performance and driving ability you have a duty to inform your manager that this may be the case. A risk assessment may be carried out. If deemed necessary for your health and safety, or the health and safety of others, you may be assigned a more suitable task or excluded from work altogether while you continue to take such medication.
- Employees who drive Company vehicles in order to carry out their duties must not drive whilst under the influence of drugs or alcohol. Company vehicle drivers should also consider the effect/impact of drinking alcohol the previous day/evening, it may cause you to be over the drink-driving limit. Employees should refer to the alcohol guidance as detailed below as an indication only as limits do change from time to time.

Each drink will take at least this long to be removed from your body – add one hour for absorption:

- pint of 5.5% beer or similar = at least 3 hours
- 250ml x 12% glass of wine = at least 3 hours
- single 35ml spirit = at least 1.5 hours to process

**N.B. it is impossible to tell precisely what your alcohol level will be and whether you will be under or over the drink drive limit, therefore, the above figures are for indication only.**



- Individuals under the influence of, or suspected of being under the influence of, alcohol or drugs will be suspended from work activities and their circumstances will be investigated in line with existing disciplinary procedures.
- Signs of a drug or alcohol related problem may include one or more of the following traits:
  - Slurred speech
  - Unsteady gait
  - Unkempt appearance and presentation
  - Depression
  - Sudden mood changes
  - Increased irritability or aggression
  - Poor work performance and time keeping
  - Irregular fluctuations in concentration and energy
- If you suspect that a person is under the influence of drugs or alcohol, you must report this or your suspicions to your manager immediately. Any such report shall be treated with the utmost confidentiality.

## **12.2 ASSISTANCE AND SUPPORT**

If you have a drug or alcohol-related problem, or suspect that you may have a drug or alcohol-related problem, you are encouraged to seek professional guidance and assistance.

In the first instance, you may wish to contact your General Practitioner or a specialist alcohol/drug agency or counsellor.

If you raise the matter with your manager or any member of the management team, then such a matter shall be treated with strict confidence and the Company shall assist you in identifying and obtaining suitable professional help.

## **12.3 DISCIPLINE**

Whilst the Company wishes to assist any employee who has an alcohol or drug related problem, and whilst the taking of disciplinary action is considered a last resort, there may be circumstances where such disciplinary action shall be deemed appropriate for example:-

- If help and assistance with an alcohol or drug-related problem is not sought or is refused and sub-standard performance continues.
- Being under the influence of alcohol or drugs during normal working hours amounts to gross misconduct and may result in dismissal.
- If the provisions of the Misuse of Drugs Act 1971 are contravened.

Where an employee is referred for treatment under this Policy, any disciplinary procedures associated with alcohol or drug abuse will be suspended and remain so whilst the employee co-operates fully with any counselling and/or treatment.

## **12.4 TESTING**

The Company reserves the right to conduct random, alcohol and drug testing. Should this situation arise your co-operation and assistance is required. An adverse inference may be made for your failure to consent to such testing, and could result in disciplinary action.

Any employee who tests positive shall be entitled to challenge the results and obtain an independent analysis of the sample, at their own cost.

### **13 "GARDEN LEAVE"**

Garden leave allows the company to require the employee not to attend their place of work during their notice period. The employee would receive full salary and benefits during this period.

Garden leave means that an employee:

- ❑ Is not allowed to attend their place of work or any other premises of associated companies without permission.
- ❑ May not be required to carry out duties during the remaining period
- ❑ Must return to the company all documents and other materials (including copies) belonging to the company or associated companies containing confidential information.
- ❑ May be required to take any outstanding holiday entitlement
- ❑ May not, without the prior written permission of the company, contact or attempt to contact any client, customer, supplier, agent of the Company or any associated Company or any employee of the Company or associated Company.

The employment relationship continues during the garden leave period and you are obliged to confirm with the terms of your contract during that period.

Where appropriate, garden leave will normally be applied to supervisor level and above, however, depending on circumstances and level of knowledge/autonomy on particular projects this may be applied to other positions depending on the circumstances.

## 14 HEALTH & SAFETY

### **14. Statement of Policy on Health & Safety at Work**

It is the intention of Electrical Solutions (Scotland) Ltd as part of the esgroup, hereinafter referred to as "the Company", to act within the requirements of the Health and Safety At Work, etc. Act, 1974, Section 2(3), and accompanying legislation, to ensure the health and safety at work of all employees, and to conduct all work activities with appropriate safeguards against the exposure of the general public and any other person(s) who may be affected by its work activities, to risks against their safety and health.

In order to meet these criteria, the Company provides and maintains safe and healthy working conditions and safe systems of work for all its employees, and provides such information, instruction, training and supervision, as they need for this purpose.

In addition, the Company will:

- As a minimum, comply with relevant legislative requirements
- Identify hazards, assess risks and manage those risks
- Provide adequate funding and resources to meet Policy needs
- Consult with employees on health and safety matters

The Group Managing Director and Managing Director has overall responsibility for the implementation of this Policy.

In order to effectively manage Health and Safety within the Company, The Group Managing Director and Managing Director devolves policies and procedures firstly to the Operations Team, each of whom are responsible for implementation within their respective areas, as set out in further sections of this Policy.

The company requires that all employees co-operate in regarding safe working as a prime objective, and that they work within established procedures so as to enable it to carry out its own responsibilities successfully.

The arrangements for implementing this Policy are set out in the attached documents, which are to be read as part of this statement, and which will be amended, as necessary, from time to time.

Signed



Christopher Bryant  
Group Managing Director



Danial Langan  
Managing Director

Dated 04/01/2017

## **14.2 Organisation and Responsibilities**

### **14.2.1. Health and Safety Standards**

These must be in accordance with the requirements of the Health and Safety at Work etc. Act, 1974, and concomitant legislation, minimum standards for health & safety. For example, safety occurrences, i.e. accidents/incidents, whether causing injury or not, will be investigated and reported upon by the senior managers with the assistance of the Company Safety Adviser, if required.

### **14.2.2 Safety Organisation and Structure**

Glenside Safety Services acts as our support on all matters relating to the Health and Safety structure of the Company. Relevant information will be relayed to all employees as documented in the Company Safety Structure Chart (Appendix 1). The Company retains the Advisory Services of Glenside Safety Services as our Competent person/Health and Safety Consultancy, as required.

### **14.2.3 Individual Responsibilities**

The individual responsibilities of Company personnel in implementing the Health & Safety Policy are as follows:

**The Managing Director** has responsibility for:

The operation and monitoring of the Policy. He will ensure the provision of adequate funds, employees and materials to meet Company Health and Safety needs and will be assisted in carrying out these functions by the Operations Manager and the Operations and Compliance Engineer. Collectively with the Group Managing Director Chris Bryant they will determine Health and Safety objectives which Company employees will be charged with meeting.

**The Operations Manager** will be responsible for:

- The effective implementation of the Company Health & Safety policy and reviewing annually
- Ensuring that H&S is on the Directors' Meetings Agenda and that Managers are aware of their responsibilities in ensuring compliance with H&S.
- Monitoring employee training, identifying training needs.
- The reporting of all accidents and dangerous occurrences to the Enforcing Authority.
- Providing leadership and promoting responsible work attitudes towards health and safety.
- Establishing appropriate procedures to be followed in the event of serious or imminent danger to persons at work (Critical Incident Policy)
- Implementing the Company COSHH Policy if it applies to any works.
- Ensuring that all electrical equipment in the office is regularly tested and maintained in accordance with the requirements of the Electricity at Work Regulations, 1989 and the Provision of work equipment regs. 1998.
- Carrying out regular safety checks and maintaining good housekeeping practices.

**The Operations Manager and Office Manager** is responsible for:

- Monitoring office safety arrangements.
- Fire, evacuation and emergency arrangements.
- Promoting responsible work attitudes towards health & safety within the office.

**The Operations Team is responsible for:**

- Monitoring accidents and the entries made in the accident book and liaising with the relevant Manager or Director/ Health and Safety Advisor if required.
- Reporting any personal industrial injury or industrial disease to the Managing Director and ensuring that an entry is made in the workplace Accident Record book.
- Conducting Risk Assessments and providing information and protective measures to each employee as are required to be taken as a result of those significant findings arising out of work which were identified in those risk assessments. This includes conducting specific risk assessments for any pregnant where relevant.
- Ensuring that new starts receive induction training covering the health and safety aspects of their job, which advises them of the precautions/procedures which need to be taken in the event of serious or imminent danger.

- Ensuring that every employee when transferred to a new work environment or change of job is given sufficient information, instruction and training to allow him/her to perform any given task as safely as possible.
- Providing leadership and promoting responsible work attitudes towards health & safety within the company.

**The Health & Safety Group responsibilities are as follows:**

- Meeting on a regular basis, (weekly/fortnightly)
- Promotion of health, safety and welfare at work
- Act as a forum for consultation and discussion on Health & Safety matters
- Review of accident statistics and recommending any actions required
- Review recurring problems revealed by safety audits/inspections
- Consider Health and Safety environmental, Health/Hygiene and Local authority reports and information releases
- Review health & safety aspects of future development and changes in procedure
- Review renewal/maintenance programmes of equipment, devices and working systems
- Monitor compliance with the Company Health & Safety policy
- Make recommendations to the Board of any actions necessary to address any areas of non-compliance with Health & Safety requirements

**Office based employees** have responsibilities as follows:

- All employees who work in the office must be fully aware of their responsibilities and duties in the event of a fire occurring. In this respect, you must be aware of evacuation procedures and routes of escape in the event of an outbreak of fire.
- You must co-operate with management to ensure that legal, safety and other requirements are carried out.
- All incidents/accidents involving personal injury or disease must be reported to the Office Manager and an entry made in the Accident Book held in the Office.
- Irresponsible behaviour must be refrained from.
- Any defects in office equipment must be reported to management without delay.
- All employees must take care for their own safety and for that of others.
- Not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare.
- Adopt a positive attitude towards health and safety, and lead by personal example.

**The above also applies to all employees when visiting the Head Office**

**Site Based employees have a responsibility as follows:**

- When visiting the Office, you must make yourself aware of your responsibilities and duties in the event of a fire occurring. In this respect, you must be aware of evacuation procedures and routes of escape in the event of an outbreak of fire.
- You must also ensure you are familiar with all other relevant health & safety policy and procedures when on site or at a customer's premises.
- To be aware that you have a duty of care towards members of the public, customers and employees of our clients and main contractors.
- All incidents/accidents involving personal injury or disease must be reported to your Site Supervisor and manager and an entry may be made in the Accident Book held in Head Office.
- Not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare.
- You must co-operate with management to ensure that legal, safety and other requirements are carried out.
- All employees must take care for their own safety and for that of others.
- Adopt a positive attitude towards health and safety, and lead by example.

The above also applies to office based employees when they are on site visits.

### **Contractors, Sub-contractors, Temporary Workers and Visitors**

All such persons as above-named are required to comply with all relevant Health and Safety legislation and Company requirements when working for, or are visiting Company premises and all must be given copies of the Company Safety Policy highlighting aspects which apply to their undertaking.

### **The Company Safety Adviser**

The Company engages the Health and Safety Consultancy services of Glenside Safety Services to act as their competent person under Regulation 7 of the Management of Health & Safety at Work Regulations, 1999, to provide health and safety advice to the company as and when required.

None of their activities may be taken as relieving any other Company individuals of their responsibilities as set out in this document.

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## **14.3 ARRANGEMENTS FOR HEALTH AND SAFETY**

### **ACCIDENT REPORTING**

All employees must report any accident or dangerous occurrence. This should be reported to your manager on 0141 647 6398. The details will be entered into the Company Accident Register in the first instance by your manager. An accident form may be sent to you dependant on the severity of the accident which must be completed and returned to your manager/Office Manager. The accident will be investigated by your manager who will inform the H&S Working group of the findings. Corrective actions with dates for completion will be agreed with the relevant Director. The Company's accident entries will be checked on a regular basis as part of the Company Safety Audit. The H&S Working group will advise on trends or potential hazards and report to the Managing Director. The Operations Team will be responsible for reports under Reporting of Injuries Diseases and Dangerous Occurrences (RIDDOR 2013) to the Health and Safety Executive (HSE) by contacting the HSE's Incident Contact Centre on **0845 300 9923**.

The main points of RIDDOR are as follows:-

- 1.** If anyone dies, receives a major injury or is seriously affected by, for example, a harmful substance or electric shock the line manager/supervisor or responsible person must notify the inspectorate immediately by telephone and confirm in writing within 10 days.
- 2.** You should also notify the inspectorate immediately if there is a dangerous occurrence, a fire or explosion etc., which stops work for more than 24 hours.
- 3.** Report within 15 days' injuries which keep an employee off work for more than 7 days.
- 4.** Report certain diseases suffered by workers who do specified types of work as soon as possible on learning about the illness.

### **ACCIDENT INVESTIGATION**

All accidents/incidents and/or dangerous occurrences shall be investigated by management to determine the facts, cause and where possible, to enable immediate action to be taken to prevent a similar accident or dangerous occurrence taking place. Where this action cannot be carried out immediately, a temporary recommendation shall be made to a Director.

### **FIRST AID PROVISION**

A requisite number of First Aiders and First Aid kits will be provided according to Company operations and employee levels. The First Aiders /Site Supervisors are also responsible for maintaining the contents of the first aid boxes. Notices are posted on notice boards informing employees where the first aid box is and who the First Aiders/appointed persons are. The Managing Director will ensure that suitable First Aid facilities are available on all sites whether the Company is in overall control of the site or not. Please refer to the Office for details of the First Aiders. Should any injury require treatment further than first aid, the employee must be taken to A&E at the nearest appropriate hospital either by a member of staff or by ambulance.

### **FIRE**

Responsibility for Fire Procedures rests with the Managing Director/Office Manager who may liaise with the local Fire Brigade or a suitable competent person on these matters. The Office Manager will provide a suitable system for evacuating premises or sites based on information gathered from the fire risk assessment and safety inspections. Employees will assist visitors where necessary without endangering their own selves. Training for all Company employees will be the Managing Director's responsibility. Alarm systems must be audible within all of the premises where employees are working. The Managing Director will be responsible for providing suitable firefighting equipment within the Company premises. The Managing Director will be responsible for ensuring that suitable

firefighting equipment is provided on sites where employees will be operating. The Managing Director will be responsible for informing and updating all employees on these matters.

The Company will: -

- Carry out a fire risk assessment of the workplace and consider all employees and any other people who may be affected by a fire within their premises or on sites and make adequate provision for the safety of any disabled people with special needs who use or may be present at the premises.
- Identify significant findings of the risk assessment and the details of anyone who might be especially at risk in case of fire.
- Provide and maintain such fire precautions as are necessary to safeguard those who use the workplace.
- Provide information, instruction and training to our employees about the fire precautions in the workplace.

### **BOMBS AND SUSPICIOUS PACKAGES**

On receipt of a telephone call or other message alerting the company of a potential bomb or suspicious package on the premises the following procedure will take place:-

Immediately notify senior management and the police with details of message received.

Evacuate the premises immediately and assemble employees at the nominated fire assembly points for roll call and other instructions.

**Do not operate the Fire Alarm system to evacuate the building** (It may activate the device).

Management will quickly notify employees to leave the building. Await further instructions from the emergency services.

Do not enter the building again until advised by the Senior Incident Officer or senior management that it is safe to do so.

### **SMOKING POLICY**

The Managing Director or whoever he appoints will arrange for the review and implementation of the company smoking policy. A general no smoking rule applies to the Company premises and all vehicles. The Company will assist any employee in stopping smoking. This assistance will include advice and support in any suitable form. Initially the employee will be directed to Telephone Helplines and/or the associated Websites [www.givingupsmoking.co.uk](http://www.givingupsmoking.co.uk) and [www.quit.org.uk](http://www.quit.org.uk)

### **HOUSEKEEPING**

The Office Manager is responsible for arranging cleaning work to be carried out and suitable receptacles are provided for waste. These should be properly used and shall be emptied frequently. The Office Manager is responsible for the general cleanliness and tidiness of premises, external area and sites under the company's control. They must also ensure that safe procedures are followed and that access and egress are maintained at all times and that notices are posted warning of any restrictions. Employees must report any defects in the system or premises to their line manager.

All employees need to play their part:-

- Areas allocated and lined as passageways should be kept clear of waste and any other items.
- All areas should be slip free and any spillage or spray from machinery should be cleared immediately or appropriate signage installed until it is cleared.

Offices/Working areas must be kept as tidy as possible at all times. The person in charge of the site must ensure there is no build-up of waste, that tripping and slipping hazards are minimised and that dusts etc are eliminated as far as possible.



Everyone on site needs to play their part:-

- Pathways and stairs should be kept clear and free from obstructions.
- Work areas should be kept as clear as possible of unnecessary materials and waste.
- Materials should be stored safely around the site
- Workers should comply with the site arrangements for the removal of waste.

All potential problems should be reported to the management – **See it, sort it.**

Many injuries are caused by slips & trips these can be avoided by management and employees working to ensure the effective control of issues including waste, spillages, storage, cables, dusts etc.

## **EQUIPMENT AND MACHINERY**

Employees should be fully familiar with any equipment, material or machinery they use. Training and instructions or manuals will be made available where appropriate. Employees must not operate any equipment or machinery without first having been trained, or if required certificated, to do so. Hosts must ensure that visitors are aware of and follow this instruction. Equipment maybe updated or re-positioned, all employees have a responsibility to ensure that this does not cause a hazard. Any possible hazards must be reported immediately. The Compliance Manager is responsible for arranging for regular maintenance of equipment and machinery including portable appliance testing and maintaining a register. Any employee who is aware of or suspects a defect must inform their line manager immediately. No equipment or machinery may be purchased, leased, hired or brought on site for use by employees without prior notification to the Director or whomever he appoints so that a suitable assessment in accordance with the Provision and Use of Work Equipment Regulations 1998 and the Lifting and Lowering Equipment Regulations 1998 can be carried out.

Key elements under the regulations are as follows:-

- Work equipment must be suitable by design, construction or adaption for the actual work it is provided to do, where it will be used and the purpose for which it will be used
- Use of work equipment includes, stopping, programming, repairing, setting, transporting, modifying, maintaining, servicing and cleaning.
- Work equipment must be adequately maintained and periodically inspected and records kept.
- Line managers and users of work equipment must have available to them adequate health and safety information and, where appropriate, written instructions regarding the use of work equipment.
- Users of work equipment must receive adequate training in use of work equipment

## **RISK ASSESSMENTS**

Sufficient and suitable risk assessments are a requirement of the Management of Health and Safety at Work Regulations 1999. This regulation incorporates duties to Young Persons and New and Expectant Mothers.

An assessment of risk is a careful examination of what could cause harm to people.

These assessments will identify whether adequate precautions have been taken and what else, if anything is required to prevent harm.

The aim is to make sure no one gets hurt or becomes ill.

Health and Safety in workshops and on sites can be managed effectively by: -

- Identifying the hazards
- Evaluating and measuring the risk associated with the hazard
- Removing altogether, reducing or controlling the risks
- Educating all those whom are exposed to the risks
- Having an active programme of implementation
- Monitoring and reviewing performance

## HAZARD

A hazard is taken to mean anything that can cause harm, whether a substance, material or practice, to the health and safety or welfare of employees, sub-contractors, clients, members of the public and others affected by that action (e.g. machinery, chemicals, electricity, manual handling, working from ladders etc.)

## RISK

A risk is the chance great or small, that someone will be harmed by the hazard. The Director or whoever he appoints will assess the risks associated with the operations carried out by the company employees. On completion of risk assessment, the risks will be removed or reduced to an acceptable level. The result of the risk assessment will be recorded and the findings communicated to the relevant employees in compliance with the Management of Health and Safety at Work Regulations updated 1999.

## **COSHH**

The Managing Director/Office Manager will arrange for the assessment and constant updating of a register of harmful substances in line with the Control of Substances Hazardous to Health (COSHH) Regulations 2002 (Amended 2004). The register will contain suitable information on the substance, normally from the manufacturers safety data sheets (MSDS), and how the substance is used and stored safely (Risk Assessment). No new substance may be purchased for use by employees, or brought onto the premises or site, or used by company employees without prior permission of the Managing Director or whoever he may appoint. This will allow a suitable assessment to be carried out in accordance with the COSHH Regulations.

## **WASTE MATERIAL**

The Company, as most businesses produces waste materials that can present specific hazards if not managed effectively. Examples of such general waste includes food, glass bottles, cans, cardboard, metals, plastics and chemical substances. All employees will therefore need to dispose of such waste safely. The risks from not having an effective waste management system include odours in and around the workplace, slips and trips, poor hygiene and sharps injuries.

Guidance for good practice in dealing with Sharps include:-

- Elimination, avoid handling sharps wherever possible.
- Reduce, use equipment, pincers, to pick up sharps. Store in heavy plastic bins.
- Control, use good work practices. Adequately wrap up broken glass etc., use specific tools and equipment to pick up sharps, dispose in cut proof containers
- Use the PPE provided that is most suitable for the job.

## **THE WORKING AT HEIGHT REGULATIONS 2005**

The Managing Director or whoever he appoints will arrange for the planning and assessment to conform to these regulations that have been made to prevent the deaths and injuries caused each year by falls at work.

These regulations state a place is 'at height' if (unless the regulations are followed) a person could be injured falling from it, even if it is at or below ground level.

Employees must:-

- report any safety hazard to the duty holder (the person who controls the work of others)
- use the equipment supplied (including safety devices) properly, following any training (unless they consider that this would be unsafe, in which case they should seek further instructions before continuing).

The Duty Holder must in the planning, managing and arranging:-

- avoid work at height where they can
- use work equipment or other measures to prevent falls where they cannot avoid working at height.

- Where they cannot eliminate the risk of a fall, use work equipment or other measures to minimise the distance and consequences of a fall should one occur.

They must:-

- ensure that no work is done at height if it is safe and reasonably practicable to do it other than at height.
- ensure that work is properly planned, appropriately supervised and carried out in as safe a way as is reasonably practicable
- plan for emergencies and rescue, including ensuring postponing work while weather conditions endanger health or safety.
- take account of the risk assessment carried out under regulation 3 of the Management of Health and Safety at Work Regulations
- if it is necessary to prevent injury, do all that is reasonably practicable to prevent anything falling or if it is not reasonably practicable, they must ensure that no one is injured by anything falling. This will include ensuring that nothing is thrown or tipped from a height if it is likely to injure anyone, stored in such a way that its movement is likely to injure anyone.

## **DISPLAY SCREEN EQUIPMENT**

A suitable sufficient assessment of work stations will be required to identify users. Where a user is identified, a further assessment of the work station will be required taking into account time in front of DSE, work routines, breaks, glare from lighting, foot rests, seating, (adjustable chair), type of software and eye test where applicable.

**Injuries can be prevented by adopting the following advice:-**

### **Posture**

Sitting awkwardly will create poor posture and muscle strain. Simple adjustments, to your chair and VDU however can make a big difference in how you feel at the end of the day.

- Upper and lower arms should be at approximately right angles.
- Forearms should be at the same level as the desk.
- Elbows should be close to sides.
- Head up with eye level just above top of screen (30 degrees down to centre of screen).
- A comfortable keying position for the keyboard and/or mouse must be adopted - hands must **NOT** be bent at the wrists.
- Back should be kept straight and small of back supported.
- Feet flat on floor or on a foot-rest
- Head must be kept straight and level.

### **Display Screen, Keyboard etc.**

- The characters on both must be readable.
- The screen image must be stable and free from flicker.
- The screen must have adjustable brightness and contrast levels
- The screen must swivel and screen and keyboard must tilt.
- Reflection and glare should be minimised.
- Mouse should be position close to the side of the keyboard

Employees should contact their immediate manager for further information and guidance

## **ES GROUP HOME WORKING GUIDANCE**

The esgroup does not employ any specific homeworkers as employees are either field or Head Office based. However, there are certain roles within the Company where individuals may find that they require to working from home on certain days.

These guidance notes should be read and understood by everyone who has the occasion to work from home.

We have identified the following hazards and controls below:

### **Handling Loads**

There should not be any specific need to handle loads as part of your role. For further information on manual handling please refer to manual handling training booklets.

### **Using work equipment at home**

All equipment provided by ES/FM/CS (mobile phones and laptops) will be PAT tested regularly by ES/FM/CS All queries related to PAT testing should be directed to the The Managing Director.

Cables should be kept tidy to avoid tripping hazards.

As an employer, we are responsible for the equipment that we supply to you.

You are responsible for ensuring the equipment that you use/supply is safe. Electrical sockets and the electricity supply are your responsibility.

## **LONE WORKING**

### **Lone Worker Policy**

Lone workers should not be more at risk than other employees. This may require the organisation to deploy extra risk control measures, which take account of normal work and other foreseeable emergencies, for example, accident, illness, violence, etc.

This policy applies to all employees employed by the organisation who are designated as lone workers or employees who have the occasion to work alone.

The principle of this policy is that the organisation will assess lone working practices and take steps to prevent or control risk where necessary.

### **Definition of Lone Worker**

Lone workers are those who work by themselves without close or direct supervision. This includes all site based roles and office staff.

- Visiting sites
- Working on sites
- Travelling to and from sites
- Office working outwith working hours
- Elsewhere outside the company's control

It is recognised that any employee may spend a limited amount of time working "alone".

### **Risk Assessment**

The risk assessment will make reference to this policy and any relevant control measures.

### **The Hazards of Working Alone**

- Violence and personal safety – when travelling to/from sites and on sites.
- Lack of signal on phone in remote areas – unable to contact head office/line manager in emergency

- Lack of access to emergency help in the case of an accident –access to a first aider may not be immediate and a lone worker who is injured may have difficulty raising the alarm.

### **Incident Reporting**

In order to maintain appropriate record of incidents involving lone workers, it is essential that all incidents be reported to your manager. Employees should ensure that all incidents where they feel threatened or unsafe are reported even if this was not a tangible event/experience.

### **Control measures**

#### **Personal Safety and Security –**

- Ensure that you have your mobile phone with you at all times. You may also have a personal mobile that can be used in emergencies. Ensure batteries are charged regularly.
- When entering/leaving your vehicle be aware of your surroundings and if it is dark, park in a well-lit area.
- If you are concerned for your personal safety at any time contact your line manager in the first instance or the police.
- Refer to the policy on violence and aggression at work
- Access to first aid kits will be provided to all employees
- For car accidents and vehicle safety please refer to your company car handbook.

#### **When working alone in the office:**

- Inform your manager/reception of how long you will be working alone
- Do not allow entry to any unknown person
- Should an incident occur, contact the police immediately.

### **WELFARE**

Adequate welfare facilities will be provided for employees, toilets, rest & eating areas.

### **EMPLOYEE TRAINING**

Managers are responsible for Induction Training of new employees. This will include the Health and Safety at Work Act 1974, the Health and Safety Policy, Fire Precautions and Procedures, including evacuations, General Work Equipment, Manual Handling and Slips and Trips training. Safe use of machinery and materials and where appropriate all Personal Protective Equipment. Any new equipment being introduced will require employees to be trained on that equipment and possibly a period of initial close supervision.

Responsibility for arranging training identified by the risk assessment or, changes to an employee's role, lies with The Managing Director. Health and Safety training or information for employees will be available at regular intervals as appropriate to extend or update employees knowledge.

### **PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Personal Protective Equipment will be used where required – i.e. high visibility vest, safety hat, gloves /glasses etc.

#### **Employees must:**

- ensure that the PPE provided is correctly used, as per site rules and cleaned in accordance with both the training and instructions given, and;
- report immediately any loss or defect of any PPE provided for their use.

## **USE OF COMPANY VEHICLES**

Please refer to the Company Memos issued on the subject of cars and their maintenance etc. referenced in Appendix 1 of this Handbook.

## **HEALTH & SAFETY (CONSULTATION WITH EMPLOYEES) REGS. 1996**

The Company will directly adhere to all necessary rules as noted in the above Regulations and ensure that employees are informed of the following when necessary: -

- Any changes in work, which may affect their Health & Safety.
- The Company will arrange for competent people to help satisfy the requirements of Health and Safety law when the needs arise.
- Information on the likely risk associated with their work and the precautions they need to take both to prevent and protect, and also to respond if the risk arises (emergency -procedures) will be issued to employees.
- Planned Health & Safety Training whether project specified or general.
- The Health & Safety consequences of introducing new technology.

All employees are reminded that they have a responsibility to make representations to the management on potential hazards, dangerous occurrences, general safety matters and also when consulted by management on such matters.

## **VIOLENCE & AGGRESSION AT WORK**

The company acknowledge that it's employees can indirectly deal with the public and may face aggressive or violent behaviour, it is therefore our concern that we protect our employees so far as is reasonably practicable from this possibility.

### **Violence is...**

The Health and Safety Executive's definition of work-related violence is:

**"Any incident, in which a person is abused, threatened or assaulted in circumstances relating to their work".**

Verbal abuse and threats are the most common types of incident. Physical attacks are comparatively rare.

### **Violence at work takes many forms.**

It can include

- Verbal abuse, such as shouting, threats and insults
- Racial or sexual harassment or discrimination
- Physical attacks or Bullying

**Learn how to recognise – and respond to – warning signs** that someone may become violent.

### **What to watch for**

Some common warning signs include

- Irrational behaviour (such as getting upset over minor issues)
- Avoiding eye contact
- Nervousness
- Aggressive body language (such as making fists, clenching the jaw, etc).

### **How to respond**

- Try to avoid a confrontation. Avoid actions or body language that may seem aggressive.
- Contact your line manager/manager if you feel threatened or are concerned about a person's behaviour.

## ***Other Ways of Responding to Violent Behaviour***

### **In one-to-one confrontations**

- Allow the aggressor plenty of space-both personal and verbal.
- Breathe slowly and evenly. Control your voice, and use it to calm and reassure.
- Be aware of your body language. For example, relax your stance and do not clench your fists.
- Make eye contact, but avoid staring.
- Use good interpersonal skills. For example-be a good listener.
- Stay confident – be assertive (firm) but not aggressive.
- Offer a compromise if possible.

### **When dealing with disorderly people**

- Calmly ask them to be quiet. If they refuse, politely ask them to leave.
- Get help from employees if you cannot resolve the situation yourself.
- Do not make threats. If necessary, call the police from a private area.

## **STRESS**

The company acknowledge that for many people 'stress' still represents something of an unknown quantity.

It is our intention to monitor any signs of stress and to offer support to our employees accordingly.

The company will adopt the HSE guidelines below as a starting point to the introduction of a company stress recognition policy. This policy will be monitored and amended in the light of our experience and our increasing knowledge with this subject.

HSE has addressed this problem by developing Management Standards that look at;

1. The demands made on employees;
2. The level of control they have over their work;
3. The support they receive from managers and employees;
4. The clarity of their role within the organisation;
5. The nature of relationships at work, and
6. The way that change is managed

### **Our Company Aims to control stress**

In considering the above HSE recommendations it is our intention to take steps so far as reasonable practicable to minimise the possibility of stress.

### **We Will;**

1. Ensure good communication between management and employees, particularly where there are organisational and procedural changes.
2. Ensure employees are fully trained to discharge their duties.
3. Ensure employees are provided with meaningful development opportunities.
4. Monitor workloads to ensure that people are not overloaded.
5. Monitor working hours and overtime to ensure that employees are not overworking.
6. Monitor holidays to ensure the employees are taking their full entitlement.
7. Ensure that bullying and harassment is not tolerated within our jurisdiction.
8. To be aware of and to give support to any employee suffering stress outside work e.g., bereavement or separation and assistance available.
9. To adopt an open-door policy that will encourage employees to discuss problems that concern them and to seek a speedy solution to the problem to our mutual satisfaction.

## **SAFETY INSPECTIONS**

The company acknowledges that the **Management of Health and Safety at Work Regulations 1999** requires us to carry out safety audits.

Informal inspections of the workplace will be carried out on a regular basis by management.

A full safety inspection will be carried out each year by our appointed Health and Safety advisors. A report on their findings together with their recommendations to put right any concerns noted at the time of the visit. The visit will include a review of the Company's Health & Safety Policy and Risk and COSHH Assessments.

## **CONTINUAL REVIEW**

The arrangements proposed above will be reviewed in the light of operational experience and altered to take account of any requirements arising from re-organisation in the Company or statutory changes.

## **Appendix 1**

### **Useful Contacts**

### **Office Number & Ext. Mobile No.**

NAME	POSITION	EMAIL	MOBILE	OFFICE	EXTENSION
Chris Bryant	Group Managing Director	chris.bryant@esgroup.scot		0141 212 3070	201
Daniel Langan	Managing Director	daniel.langan@esgroup.scot		0141 212 3072	203
Graeme Stuart	Operations Manager	graeme.stuart@esgroup.scot	07393 237003	0141 212 3077	207
James McDowall	Operations/ Compliance	james.mcdowall@esgroup.scot	07870 896604	0141 212 3073	204
Marie Richardson	Commercial Manager	marie.richardson@esgroup.scot	07469 152150	0141 212 3076	206
Sean Gallacher	Estimator	sean.gallacher@esgroup.scot		0141 212 3071	202
Margaret Goodwin	Office Manager	margaret.goodwin@esgroup.scot		0141 212 3075	200
Nisha Sanghera	Trainee Estimator	nisha.sanghera@esgroup.scot		0141 212 3078	208
Martin Murphy	Business Dev Mngr	martin.murphy@esgroup.scot		0141 212 3074	205



**Appendix 2**



electrical



facilities



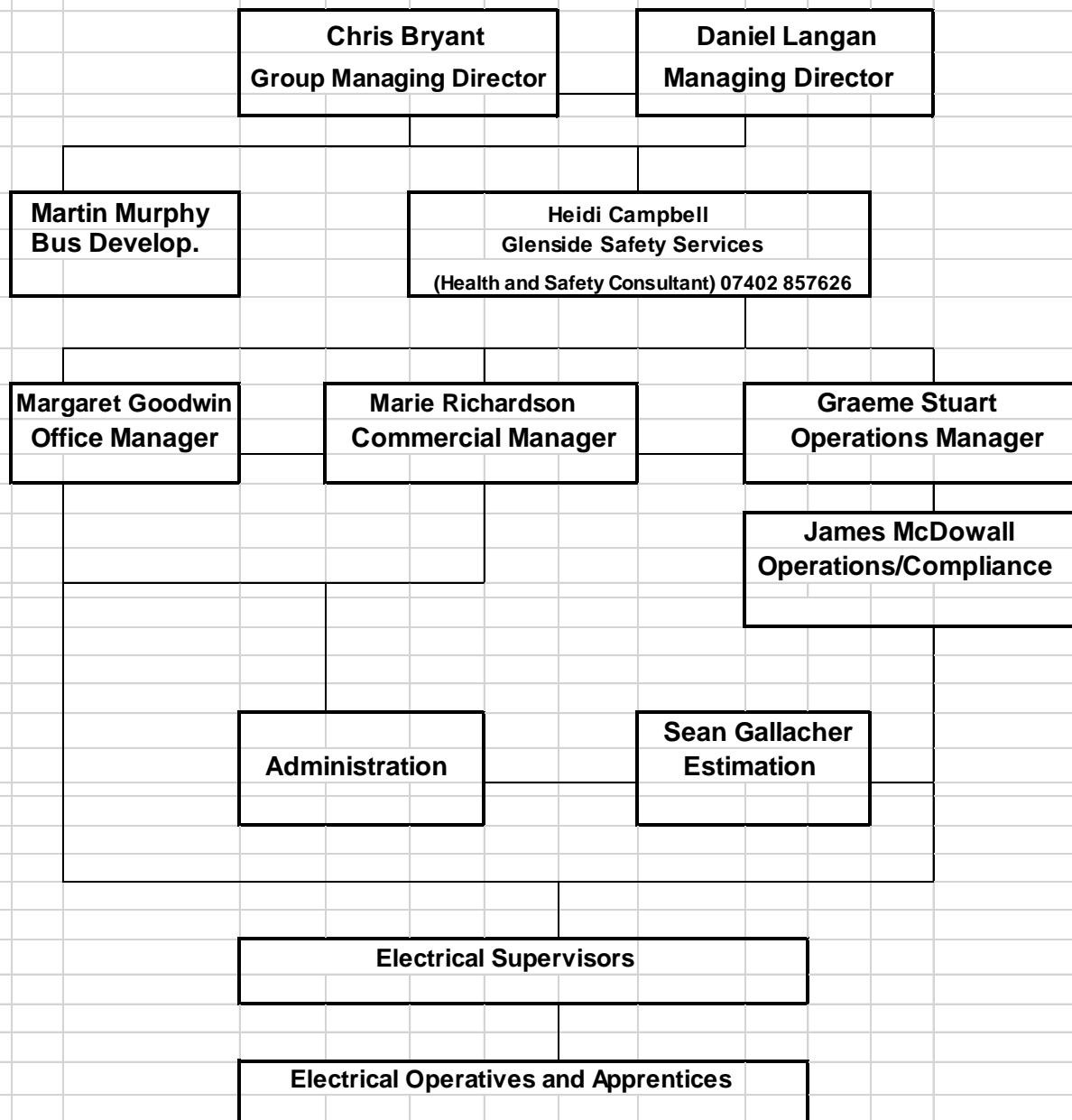
compliance

Electrical Solutions (Scotland) Ltd

FM Solutions (Scotland) Ltd

Compliance Safety Solutions Ltd

**Health and Safety Structure**



**Appendix 3**

**Memorandum Check List**

The following memos have been issued over the years and every employee must read and sign off on all of these prior to commencing work with the esgroup:

<b><u>Memo Ref</u></b>	<b><u>To be read and signed off</u></b>	<b><u>Subject</u></b>
2014/017	Drivers of any Company Vehicle	Vehicle tracking & Company Policy
2015/002	Engineers with Company Van	Parking Charges
2015/005	Drivers of any Company Vehicle	Vehicle Care, Wear & Tear
2015/006	Drivers of any Company Vehicle	Driving Licence – Periodic Checks
2015/007	Engineers	Digital Signatures
2016/001	All Employees	Company Holidays
2016/006	All Employees	Absence/Sickness – Notification
2016/007	Engineers and Apprentices	Bump Caps
2016/008	Operatives	Mobile Phone Requirement (Company or Personal)

Signed:



Name: CHRIS BRYANT

Position: Group Managing Director

Date: 01/02/2017